

HB 430 - AS INTRODUCED

2025 SESSION

25-0473

11/06

HOUSE BILL

430

AN ACT reducing the retention period for records of unfounded abuse and neglect reports by the department of health and human services.

SPONSORS: Rep. Spillane, Rock. 2; Rep. Barton, Graf. 1; Rep. Corcoran, Hills. 28; Rep. DeLemus, Straf. 1; Rep. DeSimone, Rock. 18; Rep. Edwards, Rock. 31; Rep. Flanagan, Hills. 45; Sen. Innis, Dist 7

COMMITTEE: Children and Family Law

ANALYSIS

This bill reduces the retention period for records of unfounded abuse and neglect reports by the department of health and human services from 10 years to 3 years.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT reducing the retention period for records of unfounded abuse and neglect reports
by the department of health and human services.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Abuse and Neglect Reports; Record Retention. Amend RSA 169-C:35-a to read as follows:

2 169-C:35-a Records Management of Abuse and Neglect Reports.

3 I. The department shall retain a screened-out report for 4 years from the date that the
4 report was screened out. If during the 4-year retention period, the department receives a
5 subsequent report of abuse or neglect concerning the same alleged perpetrator or the same child or
6 any siblings or other children in the same household or in the care of the same adults, the
7 department shall retain information from the prior and subsequent reports for an additional 4 years
8 from the date a subsequent report is screened out, an additional [40] 3 years from the date a
9 subsequent report is deemed unfounded, and indefinitely if the subsequent report is deemed founded
10 or unfounded but with reasonable concern. The department shall delete or destroy all electronic and
11 paper records of the reports when the retention period for the most recent report expires.

12 II. The department shall retain an unfounded report for [40] 3 years from the date that the
13 department determined the case to be unfounded. If during the [10-year] 3-year retention period,
14 the department receives a subsequent report of abuse or neglect concerning the same alleged
15 perpetrator or the same child or any siblings or other children in the same household or in the care
16 of the same adults, the department shall retain the information from the prior and subsequent
17 reports for an additional [40] 3 years from the date the subsequent report is screened out or deemed
18 unfounded, or indefinitely if the subsequent report is deemed founded or unfounded but with
19 reasonable concern. The department shall delete or destroy all electronic and paper records of the
20 reports when the most recent report expires.

21 III. The department shall retain a founded report, or a report that is unfounded but with
22 reasonable concern, indefinitely.

23 IV. Nothing in this section shall prevent the department from retaining generic, non-
24 identifying information which is required for state and federal reporting and management purposes.

25 2 Effective Date. This act shall take effect 60 days after its passage.