



NEW HAMPSHIRE
DHHS
DEPARTMENT OF
HEALTH & HUMAN SERVICES

BEAS State Registry Overview and Q&A

May 10, 2023

Agenda

Introductions

BEAS State Registry

DocuSign

Q&A

BEAS State Registry

Effective July 1, 2007 **NH RSA 161-F:49** requires that all employers of programs that are licensed, certified, or funded by the NH Department of Health and Human Services to provide services, submit the name of:

- prospective employees
- contractors
- consultants or
- volunteers

who may have client contact for review against the registry of founded reports of abuse, neglect, and exploitation of vulnerable adults.

BEAS State Registry

The Bureau of Elderly and Adult Services (BEAS) State Registry is a database containing information on founded reports of abuse, neglect or exploitation of vulnerable adults by:

- A paid or volunteer caregiver, guardian or agent acting under the authority of any power of attorney (POA) or any durable power of attorney (DPOA) pursuant to RSA 161-F: 49.

The Process of Placement on the Registry

- The perpetrator's Role
- A founded APS Report
- The Appeal's Process has been exhausted

The Appeals Process

- Recommended Finding by the Adult Protective Services Worker (APSW)
- alleged perpetrator has 5 Business Days from the date of BEAS Notice to request a review
- A Review Meeting is scheduled
- APS has 5 business days to determine whether the recommended finding will be upheld or overturned.

Administrative Appeals Unit (AAU)

- Within 10 Business Days of a Review Meeting Decision or the date of the placement letter, the alleged perpetrator has the right to request an AAU Hearing
- The Hearing is scheduled and Held
- The AAU issues a decision
- If the AAU overturns the BEAS/APS decision, the person is not on the registry. The Department can request a reconsideration
- If the AAU upholds the Decision, the alleged perpetrator can request a reconsideration
- If the final decision by the AAU is to uphold the finding, the alleged perpetrator can appeal to Merrimack County Probate Court

After a Name is Entered onto the Registry

A perpetrators name is on the Registry for *up to* Seven Years.

Expungement Requests

- After one year a person may petition the probate court to have his/her name expunged from the registry
- The court notifies the Department, APS must notify the court of any additional findings and also the BEAS Registry Administrator
- The department will have 30 days to send a report to the Court after interviewing the AP and determine if the criteria to expunge has been met and make a recommendation. The burden of proof switches from the Department to the Alleged Perpetrator.
- The court will either approve the expungement request or deny it
- The perpetrator may request an expungement three years after the first request

Two Ways a Person is Removed from the Registry

- 7 years after the date of being entered onto the Registry
- Probate Court orders an Expungement

What happens when BEAS receives a registry consent form when the investigation or appeals are in process?

No Match/Finding has to be checked

***A BEAS Registry Check is different than a Criminal Background Check**

BEAS State Registry Check – DocuSign Process

- Employer initiates the Power form using the DocuSign Link: [BEAS Registry Check](#)
- The Employer completes the “Employer” Section of the Consent form then it is automatically emailed to the Employee email address that the Employer entered on the power form
- The Employee completes the “Employee” Section of the form then it is automatically emailed to BEAS State Registry
- The BEAS State Registry reviews the state registry and completes the form accordingly. The completed form is automatically emailed to both the Employer and Employee

BEAS State Registry Check – DocuSign Process (continued)

- The DocuSign Link, Employer Instructions and Employee Instructions can be found on the NH DHHS website:
<https://www.dhhs.nh.gov/programs-services/adult-aging-care/elderly-adult-services-state-registry>

Questions and Answers



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Thank-you

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