



February 7, 2023

Honorable Chairman Mark Pearson  
House Children and Family Law Committee  
Legislate Office Building Room 206  
North Main St., Concord, NH 03301

RE: NAMI NH Support of HB 491

Dear Chairman Pearson and Committee Members:

Thank you for the opportunity to testify today. My name is Holly Stevens, and I am the Director of Public Policy at NAMI New Hampshire, the National Alliance on Mental Illness. NAMI NH is a non-profit, grassroots organization whose mission is to improve the lives of all people impacted by mental illness and suicide through support, education and advocacy. On behalf of NAMI NH, I am here today to speak in support of HB 491, relative to prohibiting the use of the prone restraint for minors.

HB 491 appears to be clarifying and codifying by name what is already prohibited by NH law pursuant to NH RSA 126-U:4(I)(a-c,d). To know that prone restraints are still being used in treatment facilities in our state is extremely concerning.

Research shows that there is a significant increase in the risk of death when restraints are performed with the child in the prone position. The Child & Youth Care Forum conducted a 26-year study on the use of restraints on children in facilities from 1993-2018. The objective of the study was to explore the conditions and circumstances of restraint-related fatalities in the US by asking “(1) Who are the children that died due to physical restraint? and (2) How did they die?” The study discovered that there were 79 restraint-related fatalities during the timeframe of the research, 63 were related to physical restraint. The leading cause of death was asphyxia, or lack of oxygen. Of the 63 fatalities related to physical restraint 38 occurred while the child was in the prone position (the article notes that for 19 of the deaths the child’s position was “unknown or could not be accurately determined.”)

Of particular concern to NAMI NH is that physical restraint is regularly used with children and adolescents in mental health care. The Child & Youth Care Forum study revealed that a majority of the deaths occurred with children and adolescents who have mental health issues. This includes children and adolescents in psychiatric

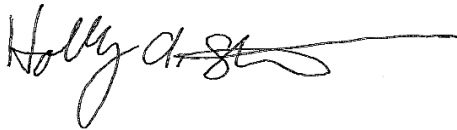
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centers, residential treatment facilities, group homes, foster homes, and juvenile corrections facilities.

The evidence is clear that prone restraints are dangerous and should not be used on children and adolescents. To assure that NH law is crystal clear about the use of prone restraints, NAMI NH urges the committee recommend HB 491 ought to pass. I am available to answer any questions that the committee may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Holly A. Stevens", with a long horizontal flourish extending to the right.

Holly A. Stevens, Esq.

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