



**STATE OF NEW HAMPSHIRE  
OFFICE OF THE GOVERNOR**

**CHRISTOPHER T. SUNUNU**  
Governor

May 28, 2020

Lori Shibinette  
Commissioner  
129 Pleasant Street  
Concord, N.H. 03301

Dear Commissioner Shibinette,

Pursuant to my authority under Executive Order 2020-04, as extended by Executive Orders 2020-05, 2020-08 and 2020-09; and Emergency Order #37 I have approved your written request, in attachment, to take the following actions related to Executive Branch hiring:

1. Posting and hiring of a Business Administrator III (Position # 43172) with the current allocation being 72% General Funds and 28% Federal Funds.

The Department of Administrative Services is authorized to take the actions necessary to effectuate this authorization.

Sincerely,

A handwritten signature in blue ink that reads "Christopher T. Sununu".

Christopher T. Sununu  
Governor

CC Charles Arlinghaus, Commissioner, Department of Administrative Services



**POSITION WAIVER**

May 22, 2020

His Excellency, Governor Christopher T. Sununu  
 State House  
 Concord, NH 03301

Dear Governor Christopher T. Sununu:

**REQUESTED ACTION**

Approval is requested for a waiver of Emergency Order # 37 in order to fill the following position within the:

<b>Agency:</b>	HHS: Commissioner'S Office	
<b>Reason Code:</b>	Full Time Position	
<b>Position #:</b>	43172	
<b>Position Title:</b>	Business Administrator III	
<b>Anticipated Hire Date (MM/DD/YY):</b>	June 19, 2020	
<b>Labor Grade:</b>	27	
<b>Step:</b>	5	
<b>Date of Vacancy (MM/DD/YY):</b>	July 31, 2019	
<b>Vacancy Rate (%)</b>	18%	
<b>Appropriation:</b>	Agency	095 HHS: Commissioner'S Office
	Department	095 HHS: Commissioner'S Office
	Bureau	9500 Office Of The Commissioner
	Accounting Unit (XXXX)	5676 Office Of Business Operations
	Class	010 Personal Services Perm Clas
	Expense Account (500XXX):	500100 Regular Officers And Employees
<b>Total Annual Salary:</b>	<b>\$</b>	55,556
<b>Total Annual Benefits:</b>	<b>\$</b>	30,014
<b>Total Cost</b>	<b>\$</b>	85,570
<b>Estimated # of Pay Periods in FY:</b>		25

Funding	% of Funding (ex: 5 = 5%)	Total Cost Based on Estimated Pay Periods Left in FY
000 FEDERAL FUNDS	28%	23,038
0010 General Fund	72%	59,241
		-
		-
		-
		-
<b>Total</b>	<b>100%</b>	<b>82,279</b>

**EXPLANATION**

(16) This position is responsible for the CMS 64 Mediaid Federal Expenditure report and all of the other ancillary federal financial reporting that exists including budget neutrality.

1. What services or constituency group will be affected if this position is not filled?

Currently there is only 1 individual who is trained in performing the tasks required of filing the CMS 64. This is a \$1.5B dollar program.

**2. Are the services/duties performed by this position required by law, rule, court order or some other mandate? If yes, explain.**

The work done by this position is mandated in federal law.

**3. Did the position become vacant because of a promotion or personnel action within the organization, or did the incumbent move to another state position? Define**

The position became vacant when the encumbant retired. Given the risk of only having a single person that can do this reporting the decision was made to transfer it from Accounts Payable to Federal Reporting.

**4. Can other personnel within the department cover the duties of this position? Explain in detail**

There is currently a vacancy rate of 18% in DHHS Finance. This work is currently being covered by the Supervisor, however partially because of the other duties of her role, the report is often filed late. We cannot continue with this position vacant.

**5. Can the duties be completed by a part-time position? Explain in detail**

No, the knowledge necessary for this position and the volume of work cannot be done by a part time position,

**6. If this position has been vacant for a period of time, explain how the work previously done by this position has been allocated to, or covered by others during this vacancy period.**

The work has reverted to the supervisor, leaving only one person to complete a ~\$250m quarterly report. If this person became unavailable we would struggle to file the quarterly report putting \$1.2b a year in Medicaid funds at risk to the State.

**7. Has this position been reclassified or established with the passage of the FY '20-21 budget or after?**

No.

**8. Do you anticipate filling this position with an internal candidate? Explain**

That would be ideal but it is difficult to know if anyone internally is interested.

**9. If you are hiring at a step beyond 1, please provide justification.**

If in fact someone within State Gov't does apply it is likely that they would come into the position at a step higher than 1. If the position were to be filled externally it is likely that the salary would need to be higher than step 1.

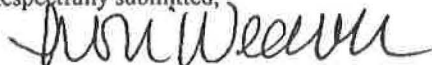
List of currently pending submitted waivers with the priority ranking (#1 = top ranking):

12306-Admin III, 8T2970-BAII, 43172-BAIII

List of waivers previously granted:

N/A

Respectfully submitted,



Lori A. Weaver  
Deputy Commissioner