

PROPOSED AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1196

In lieu of the amendments adopted by the Senate as printed on pages 760 and 761 of the Senate Journal, Reengrossed House Bill No. 1196 is amended as follows:

Page 1, line 1, after "Act" insert "to provide for the creation of a nursing facility nurses student loan grant program;" and remove "and a new chapter"

Page 1, line 2, remove "to title 43"

Page 1, line 3, remove "and the nursing facility nurses student loan payment program"

Page 1, line 9, remove "to provide for a transfer from the health"

Page 1, line 10, remove "care trust fund;"

Page 4, after line 3, insert:

**"SECTION 8. Nursing facility nurses student loan grant program.**

1. The state health council, in cooperation with the North Dakota long term care association, shall administer the nursing facility nurses student loan grant program. The purpose of the program is to provide matching funds to nursing facilities to assist the facilities in recruiting and retaining nurses. The state health council shall adopt rules necessary to administer the program, including rules establishing criteria regarding eligibility for and distribution of program grants.
2. An applicant for a program grant shall establish that the applicant:
  - a. Is a licensed nursing facility;
  - b. Has available matching funds equal to the amount of the grant request;
  - c. Has employed a nurse who has an outstanding student loan balance; and
  - d. Meets the eligibility criteria established by rule.
3. An eligible applicant may receive a program grant not exceeding five thousand five hundred dollars in the first year of the biennium. Any funds appropriated by the legislative assembly for the grant program which are remaining after the first year of the biennium may be distributed to eligible applicants in the second year of the biennium in any amount determined by the state health council."

Page 4, line 22, after the third "capacity" insert "licensed after July 1, 2001, as nursing facility capacity,"

Page 4, line 31, after "basic" insert "care" and after "capacity" insert "licensed after July 1, 2001, as nursing facility capacity,"

Page 5, line 3, overstrike "1999" and insert immediately thereafter "2001"

Page 5, line 4, overstrike "1999" and insert immediately thereafter "2001" and overstrike "2001" and insert immediately thereafter "2003"

Page 5, line 6, overstrike "1999" and insert immediately thereafter "2001" and overstrike "2001" and insert immediately thereafter "2003"

Page 5, line 11, after the second "capacity" insert "licensed after July 1, 2001, as nursing facility capacity."

Page 5, remove lines 15 through 31

Page 6, remove lines 1 through 18

Page 7, line 9, overstrike "governmental" and insert immediately thereafter "government"

Page 8, line 21, overstrike "'Assisted living facility" has the meaning provided in section 50-24.5-01, but if the"

Page 8, overstrike lines 22 through 30

Page 9, overstrike lines 1 through 12

Page 9, line 13, remove "2."

Page 9, line 22, replace "3" with "2"

Page 9, line 23, replace "4" with "3"

Page 9, line 25, replace "5" with "4"

Page 11, line 10, overstrike "The department's share of the total"

Page 11, line 11, overstrike "cost of" and insert immediately thereafter "An approved loan for", remove "project", and overstrike "is limited to" and insert immediately thereafter "project may not exceed"

Page 14, line 5, after "government" insert "nursing"

Page 14, line 16, replace "\$8,899,774" with "\$13,000,000"

Page 14, line 19, replace "\$3,920,000 relates to" with ", up to \$4,960,000 may be used for"

Page 14, line 23, replace "\$4,100,000" with "\$4,000,000"

Page 14, line 26, replace "\$10,000" with "\$15,000"

Page 14, line 27, remove "by at least eight"

Page 14, remove line 28

Page 14, line 29, replace "facility bed capacity by fewer than eight beds" with ". An incentive may not be paid for nursing facility bed capacity that is temporarily converted to basic care bed capacity. The department shall establish rules that allow nursing facilities to make offers to reduce licensed nursing facility bed capacity on a quarterly basis beginning July 1, 2001. Any offer that meets the criteria of this section and is within legislative appropriations must be approved by the department. The department shall inform the facility making an offer within five business days of receiving the offer of the department's approval or disapproval of the offer"

Page 15, line 18, replace "\$681,846" with "\$1,165,303"

Page 15, line 19, replace "\$1,590,974" with "\$2,719,040"

Page 15, line 22, replace "1999" with "2000"

Page 15, line 24, after "**FACILITY**" insert "**AND INTERMEDIATE CARE FACILITY FOR THE MENTALLY RETARDED**"

Page 15, line 25, replace "\$266,400" with "\$309,600"

Page 15, line 26, replace "\$621,600" with "\$708,000"

Page 15, line 28, after "home" insert "and intermediate care for the mentally retarded"

Page 16, line 8, after "needs" insert "and the nursing facility payment system"

Page 16, line 10, after "assessment" insert "and nursing facility payment system"

Page 16, line 15, after "assessment" insert "and nursing facility payment system"

Page 16, line 16, replace "biennium" with "period" and replace "June 30" with "January 1"

Page 16, remove lines 17 through 19

Page 16, line 21, replace "**PAYMENT FUND - ADDITIONAL SPENDING**" with "**GRANT PROGRAM**"

Page 16, line 22, remove "**AUTHORITY - EMERGENCY COMMISSION APPROVAL**"

Page 16, line 23, replace "nursing facility nurses student loan payment" with "health care trust"

Page 16, line 24, replace "\$200,000" with "\$489,500"

Page 16, line 26, replace "payments" with "grants" and remove "The state"

Page 16, remove lines 27 through 30

Page 17, line 23, replace "\$150,000" with "\$250,000"

Page 19, line 1, replace "8" with "9" and replace "9" with "10"

Page 19, line 3, replace "34" with "33", replace "40" with "39", and replace "41" with "40"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1196 - Summary of Senate Action**

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
<b>State Department of Health</b>				
Total all funds	\$0	\$200,000	\$289,500	\$489,500
Less estimated income		<u>200,000</u>	<u>289,500</u>	<u>489,500</u>
General fund	\$0	\$0	\$0	\$0
<b>Department of Human Services - Management</b>				
Total all funds	\$0	\$8,055,347	\$0	\$8,055,347
Less estimated income		<u>8,055,347</u>		<u>8,055,347</u>
General fund	\$0	\$0	\$0	\$0
<b>Department of Human Services - Economic Assistance</b>				
Total all funds	\$0	\$84,721,181	\$5,741,349	\$90,462,530
Less estimated income		<u>73,071,181</u>	<u>5,741,349</u>	<u>78,812,530</u>
General fund	\$0	\$11,650,000	\$0	\$11,650,000
<b>Department of Human Services - Program and Policy</b>				
Total all funds	\$0	\$7,148,302	\$100,000	\$7,248,302
Less estimated income		<u>7,148,302</u>	<u>100,000</u>	<u>7,248,302</u>
General fund	\$0	\$0	\$0	\$0
<b>Bill Total</b>				
Total all funds	\$0	\$100,124,830	\$6,130,849	\$106,255,679
Less estimated income		<u>88,474,830</u>	<u>6,130,849</u>	<u>94,605,679</u>
General fund	\$0	\$11,650,000	\$0	\$11,650,000

**House Bill No. 1196 - State Department of Health - Senate Action**

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
<b>Grants</b>				
Nursing facility nurses student loan payment		\$200,000	\$489,500 (200,000)	\$489,500
Total all funds	\$0	\$200,000	\$289,500	\$489,500
Less estimated income		<u>200,000</u>	<u>289,500</u>	<u>489,500</u>
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

**Dept. 301 - State Department of Health - Detail of Senate Changes**

	CHANGE LOAN PAYMENT PROGRAM <sup>1</sup>	TOTAL SENATE CHANGES
Scholarship and loan repayment program	\$489,500	\$489,500
Nursing facility nurses student loan payment	(200,000)	(200,000)
Total all funds	\$289,500	\$289,500
Less estimated income	<u>289,500</u>	<u>289,500</u>
General fund	\$0	\$0
FTE	0.00	0.00

<sup>1</sup> The nursing facility nurses student loan payment program is changed from the state paying an eligible nursing facility nurse's student loan payment directly to the financial institution as proposed by the House to providing a grant of up to \$5,500 to an eligible nursing facility during the first year of the biennium for the facility to use for assisting in the repayment of nursing student loans. Each facility must provide an equal amount as matching. If appropriation authority remains available for the second year of the biennium, the State Health Council may provide additional matching grants to nursing facilities for the same purpose.

This amendment provides a \$489,500 appropriation from the health care trust fund for this program rather than transferring \$1,000,000 from the health care trust fund to a nursing facility nurses student loan payment fund and providing a \$200,000 appropriation from that fund as included in the House version.

### House Bill No. 1196 - Department of Human Services - Economic Assistance - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Government nursing facility funding pool payments		\$38,750,000		\$38,750,000
Intergovernmental transfer administration		71,158		71,158
Nursing facility grants		100,226		100,226
Nursing facility loans		8,899,774	\$4,100,226	13,000,000
Long-term care needs assessment		241,006		241,006
Nursing home bed reduction incentive		4,100,000	(100,000)	4,000,000
Nursing facility employee compensation		27,296,847		27,296,847
Basic care employee compensation		673,600		673,600
Nursing facility rate limit increase		2,272,820	1,611,523	3,884,343
Nursing facility personal care allowance		888,000	129,600	1,017,600
Basic care personal care allowance		180,000		180,000
Qualified service provider training grants		140,000		140,000
Targeted case management		<u>1,107,750</u>		<u>1,107,750</u>
Total all funds	\$0	\$84,721,181	\$5,741,349	\$90,462,530
Less estimated income		<u>73,071,181</u>	<u>5,741,349</u>	<u>78,812,530</u>
General fund	\$0	\$11,650,000	\$0	\$11,650,000
FTE	0.00	0.00	0.00	0.00

### Dept. 327 - Department of Human Services - Economic Assistance - Detail of Senate Changes

	INCREASE LOAN FUNDING 1	REDUCE BED REDUCTION INCENTIVE FUNDING 2	REBASE TO 2000 3	ALLOWANCE INCREASE FOR ICF/MR 4	TOTAL SENATE CHANGES
Government nursing facility funding pool payments					
Intergovernmental transfer administration					
Nursing facility grants					
Nursing facility loans	\$4,100,226				\$4,100,226
Long-term care needs assessment					
Nursing home bed reduction incentive		(\$100,000)			(100,000)
Nursing facility employee compensation					
Basic care employee compensation					
Nursing facility rate limit increase			\$1,611,523		1,611,523
Nursing facility personal care allowance				\$129,600	129,600
Basic care personal care allowance					
Qualified service provider training grants					
Targeted case management					
Total all funds	\$4,100,226	(\$100,000)	\$1,611,523	\$129,600	\$5,741,349
Less estimated income	<u>4,100,226</u>	<u>(100,000)</u>	<u>1,611,523</u>	<u>129,600</u>	<u>5,741,349</u>
General fund	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00

1 The funding provided for loans is increased to \$13 million from the health care trust fund.

2 Funding for the nursing home bed reduction incentive program is reduced by \$100,000 from the health care trust fund.

The maximum payment allowed for reducing a bed is increased from \$10,000 to \$15,000 and provisions included in the House version that authorized a lower payment for reducing fewer than eight beds are removed.

Provisions are added providing that the department:

- May not pay an incentive to a nursing facility that is temporarily converting nursing facility bed capacity to basic care bed capacity.
  - Shall allow for nursing facilities to make offers to reduce bed capacity each quarter and that the department must approve all offers that meet the program's criteria and are within available funding.
  - Shall inform a nursing facility within five business days regarding the department's approval or disapproval of the facility's offer to reduce beds.
- <sup>3</sup> Additional funding of \$483,457 is provided from the health care trust fund and \$1,128,066 of federal funds is provided to rebase nursing facility cost limits to 2000 rather than 1999 as included in the House version.
- <sup>4</sup> Additional funding of \$43,200 is provided from the health care trust fund and \$86,400 of federal funds is provided to increase the personal care allowance for individuals residing in intermediate care facilities for the mentally retarded (ICF/MR) from \$40 to \$50 per month.

Provisions are added that:

- Require any basic care bed capacity that is being converted to nursing facility bed capacity to have been licensed as basic care after July 1, 2001.
- Change the dates on the moratorium on the expansion of long-term care bed capacity to reflect the 2001-03 biennium.
- Remove the definition of "assisted living facility" from North Dakota Century Code Chapter 50-30.
- Expand the long-term care needs assessment study to include the nursing facility payment system.

**House Bill No. 1196 - Department of Human Services - Program and Policy - Senate Action**

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Service payments for elderly and disabled		\$6,898,302		\$6,898,302
Senior citizen mill levy match		150,000	\$100,000	250,000
Independent living center grants		100,000		100,000
Total all funds	\$0	\$7,148,302	\$100,000	\$7,248,302
Less estimated income		<u>7,148,302</u>	<u>100,000</u>	<u>7,248,302</u>
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

**Dept. 328 - Department of Human Services - Program and Policy - Detail of Senate Changes**

	INCREASE SENIOR MILL MATCH FUNDING	TOTAL SENATE CHANGES
Service payments for elderly and disabled		
Senior citizen mill levy match	\$100,000	\$100,000
Independent living center grants		
Total all funds	\$100,000	\$100,000
Less estimated income	<u>100,000</u>	<u>100,000</u>
General fund	\$0	\$0
FTE	0.00	0.00