

Introduced by

Human Services Committee

(At the request of the Department of Human Services)

1 A BILL for an Act to amend and reenact subsection 7 of section 50-24.5-01 of the North Dakota  
2 Century Code, relating to the definition of eligible beneficiary for the aid to aged, blind, and  
3 disabled persons.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subsection 7 of section 50-24.5-01 of the North Dakota  
6 Century Code is amended and reenacted as follows:

7 7. "Eligible beneficiary" means a resident of this state who:

8 a. (1) Is aged; or

9 (2) Is at least eighteen years of age and is disabled or blind;

10 b. (1) Has applied for and is eligible to receive and receives benefits under title  
11 XIX of the Social Security Act [42 U.S.C. 1396 et seq.], and who has applied  
12 for and is receiving benefits, if the individual is eligible to receive benefits,  
13 under titles II and XVI of the Social Security Act [42 U.S.C. 401-434 and 42  
14 U.S.C. 1381 et seq.]; or

15 (2) Has applied for and is eligible to receive and receives benefits under section  
16 50-24.1-37 for long-term services and supports pursuant to an asset test  
17 established under title XIX of the Social Security Act [42 U.S.C. 1396  
18 et seq.] and section 50-24.1-02;

19 c. Meets the requirements of section 23-09.3-08.1;

20 d. Based on a functional assessment, is not severely impaired in any of the  
21 activities of daily living of toileting, transferring to or from a bed or chair, or eating  
22 and:

Sixty-fifth  
Legislative Assembly

- 1                   (1) Has health, welfare, or safety needs, including a need for supervision or a  
2                   structured environment, ~~which require care in a licensed adult family foster-~~  
3                   ~~care home or an assisted living facility;~~ or  
4                   (2) Is impaired in three of the following four instrumental activities of daily living:  
5                   preparing meals, doing housework, taking medicine, and doing laundry; and  
6                   e. Is determined to be eligible pursuant to rules adopted by the department.