

**Sixty-sixth Legislative Assembly of North Dakota
In Regular Session Commencing Thursday, January 3, 2019**

HOUSE BILL NO. 1103
(Human Services Committee)
(At the request of the Department of Human Services)

AN ACT to create and enact two new sections to chapter 50-31 of the North Dakota Century Code, relating to licensure of an opioid treatment medication unit and fees; and to amend and reenact section 50-31-01 and subsection 1 of section 50-31-05 of the North Dakota Century Code, relating to the definition of medication unit and the licensure of substance abuse treatment programs.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 50-31-01 of the North Dakota Century Code is amended and reenacted as follows:

50-31-01. Definitions.

1. "Department" means the department of human services.
2. "Medication unit" means a facility established as part of, but geographically separate from, an opioid treatment program, from which a licensed practitioner dispenses or administers an opioid treatment medication or collects samples for drug testing or analysis.
3. "Opioid treatment program" means a program through which medication is dispensed in the treatment of opioid addiction.

SECTION 2. AMENDMENT. Subsection 1 of section 50-31-05 of the North Dakota Century Code is amended and reenacted as follows:

1. The department ~~is authorized to~~ may issue licenses to operate substance abuse treatment programs, for a period of ~~two~~three years, which are found to comply with the provisions of this chapter and rules adopted by the department.

SECTION 3. A new section to chapter 50-31 of the North Dakota Century Code is created and enacted as follows:

Opioid treatment medication unit - Licensure required - Rules.

1. A medication unit may not operate in this state, unless the unit operates under the license of an opioid treatment program and holds:
 - a. A separate registration from the United States department of justice drug enforcement administration; and
 - b. A medication unit license under the department.
2. The department may license a medication unit. A separate license is required for each location at which a medication unit is operated under this section.
3. The department shall adopt rules relating to licensing and monitoring a medication unit, including rules for:
 - a. Standards for approval and maintenance of licensure;

- b. Assessment of need for a medication unit in the proposed location, including community engagement; and
- c. Standards of patient care.

SECTION 4. A new section to chapter 50-31 of the North Dakota Century Code is created and enacted as follows:

Fees - Rules.

An applicant for licensure under this chapter shall submit a one hundred fifty dollar nonrefundable fee with the application. The department shall adopt rules as necessary to implement this section. All fees collected under this section must be paid to the department and must be used to defray the cost of administering and enforcing this chapter.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-sixth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1103.

House Vote: Yeas 87 Nays 3 Absent 4

Senate Vote: Yeas 44 Nays 0 Absent 3

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2019.

Approved at _____ M. on _____, 2019.

Governor

Filed in this office this _____ day of _____, 2019,

at _____ o'clock _____ M.

Secretary of State