

**FIRST ENGROSSMENT  
with House Amendments  
ENGROSSED SENATE BILL NO. 2108**

Introduced by

Human Services Committee

(At the request of the Department of Human Services)

1 A BILL for an Act to amend and reenact sections 50-06-05.3, 50-06-05.4, and 50-06-05.5 of the  
2 North Dakota Century Code, relating to services provided at the regional human service centers  
3 and to human service councils.

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

5 **SECTION 1. AMENDMENT.** Section 50-06-05.3 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **50-06-05.3. Regional human service centers - Powers - Duties - Human service**  
8 **council advisory groups.**

- 9 1. Regional human service centers organized under this chapter are those centers  
10 established to provide human services as authorized by law. The term "human  
11 service" means service provided to individuals or their families in need thereof to help  
12 them achieve, maintain, or support the highest level of personal independence and  
13 economic self-sufficiency, including health, mental health, education, manpower,  
14 social, ~~vocational rehabilitation, aging,~~ food and nutrition, and housing service.  
15 Regional human service centers shall function as regional administrative units  
16 established, within the multicounty areas designated by the governor's executive order  
17 1978-12 dated October 5, 1978, to provide for the planning and delivery of human  
18 services.
- 19 2. Regional human service centers shall provide human services to all eligible individuals  
20 and families to help them achieve or maintain social, emotional, and economic  
21 self-sufficiency; prevent, reduce, or eliminate dependency; prevent or remedy the  
22 neglect, abuse, or exploitation of children and of adults unable to protect their own  
23 interests; aid in the preservation, rehabilitation, and reuniting of families; prevent or  
24 reduce inappropriate institutional care by providing for care while institutionalized or

1 providing for community-based or other forms of less restrictive care; secure referral or  
2 admission for institutional care; provide outpatient diagnostic and treatment services;  
3 provide information concerning guardianship to people interested in becoming or who  
4 are guardians; and provide rehabilitation services for patients with mental or emotional  
5 disorders, an intellectual disability, and other psychiatric conditions, particularly for  
6 those patients who have received prior treatment in an inpatient facility. Regional  
7 human service centers shall deliver services in the manner prescribed by the  
8 department.

- 9 3. ~~The director shall appoint a human service council of an advisory group for each~~ human  
10 service center ~~shall be a council of not more than~~ consisting of up to thirteen members.  
11 ~~The council~~ Each group member must be appointed ~~by the boards of county-~~  
12 ~~commissioners of the respective counties within~~ a resident of the region meeting jointly-  
13 ~~with the director of the regional human service center, except for the appointment of~~  
14 ~~the initial human service council which must be as provided in section 41 of chapter~~  
15 ~~486 of the 1981 Session Laws~~ the member is appointed to serve. ~~County~~ The director  
16 shall appoint two current county commissioners may and one current county social  
17 service board member to serve as members of the ~~a~~ human service council ~~provided,~~  
18 ~~that the commission members do not comprise more than one-third of the total council~~  
19 ~~members~~ advisory group. The director may appoint an additional current commissioner  
20 to serve in lieu of the current county social service board member. The terms of office  
21 must be two years and arranged so that the term of ~~six~~ one-half of the members shall  
22 ~~expire~~ expires at the end of the first year and the term of ~~seven~~ the remaining members  
23 ~~shall expire~~ expires at the end of the second year. ~~Members~~ The director shall select  
24 the members of each human service council ~~are to be selected~~ advisory group on the  
25 basis of population ~~from residents of the counties in the region served by the human~~  
26 service center. Each county in the region must ~~have~~ be represented by at least one  
27 member on the human service council ~~advisory group.~~ To the extent possible,  
28 membership ~~of the council~~ advisory group must reflect regional interests in the fields  
29 of developmental disabilities, social services, ~~vocational rehabilitation,~~ mental health,  
30 and alcoholism and drug abuse. ~~Members~~ The director shall elect appoint a chairman  
31 for each advisory group from the council membership ~~a chairman and other officers as~~

1           the council deems necessary. All members of each council must be residents of the  
2           area served by the regional human service center of the advisory group. VacanciesThe  
3           director shall fill a vacancy occurring on the boardwithin an advisory group for other  
4           than the expiration of a term must be filled in the same manner as original  
5           appointments, except that appointments must be made only for the unexpired term.  
6           MembersThe department shall compensate members of thea human service council  
7           must be compensatedadvisory group at the rate of forty-five dollars per day, not to  
8           exceed twenty-five days in any one year. The department also shall pay members  
9           must also be paid for mileage and actual expenses incurred in attending meetings and  
10          in the performance of their official duties in the amounts provided by law for other state  
11          officers.

12          **SECTION 2. AMENDMENT.** Section 50-06-05.4 of the North Dakota Century Code is  
13          amended and reenacted as follows:

14          **50-06-05.4. Duties of human service counciladvisory groups.**

15          TheEach human service councilsadvisory group of the regional human service centers shall  
16          perform the following duties:

- 17          1. Assist inProvide information to the department relative to needs assessment and the  
18             planning and development of health and social resources to assurefor the effective  
19             and efficient delivery of high-quality human services fully accessible to all citizens.
- 20          2. Review and evaluate services and programs provided by the regional human service  
21             centers and make periodic reports to the department together with any  
22             recommendations the councilsadvisory group may have for improvement in services,  
23             programs, or facilities.
- 24          3. Promote cooperation and working agreements with private human service agencies.
- 25          4. Review the budgets for submission to the executive director for consideration and  
26             submission within the budget request for the department.
- 27          5. Promote local and regional financing from public and private sources.

28          **SECTION 3. AMENDMENT.** Section 50-06-05.5 of the North Dakota Century Code is  
29          amended and reenacted as follows:

1           **50-06-05.5. Director of regional center - Medical director.**

2           Each regional human service center must be headed by a regional director appointed by  
3 the executive director of the department ~~in consultation with the regional human service council.~~  
4 The regional director must be accountable to the executive director or the director's designee.  
5 Each regional director ~~shall have the authority to~~may employ the staff necessary to discharge  
6 the center's responsibilities. ~~The~~A regional director ~~shall also have authority,~~ subject to the  
7 approval of the executive director of the department or the director's designee, and within the  
8 limit of legislative appropriations, ~~to~~may make contractual arrangements with public or private  
9 agencies or with individuals and organizations to discharge the regional human service center's  
10 service delivery responsibilities. ~~The staff of each~~Each regional human service center ~~director~~  
11 ~~shall include~~hire a qualified medical professional who must be designated as the medical  
12 director of the center. The medical director ~~must be primarily~~is responsible for coordinating  
13 mental health and medically related services. The medical director's position may be part time  
14 or full time as determined appropriate by the regional director, with the concurrence of the  
15 executive director or the director's designee. ~~At the discretion of the~~The executive director, or  
16 the director's designee may appoint the regional director of a center, ~~if qualified therefor, could~~  
17 ~~also be appointed to be the~~ medical director of that center, provided the regional director is  
18 qualified to be the medical director. As used in this section, "qualified medical professional"  
19 means an individual possessing a degree of doctor of psychiatry, when such an individual can  
20 be employed, and when this is not possible, an individual possessing at least a medical degree.