

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1012

That the Senate recede from its amendments as printed on pages 1625-1633 of the House Journal and pages 1372-1380 of the Senate Journal and that Engrossed House Bill No. 1012 be amended as follows:

Page 1, line 1, replace "an appropriation" with "appropriations"

Page 1, line 3, after "reenact" insert "subsection 1 of section 23-09.3-01.1, subsection 1 of section 23-16-01.1,"

Page 1, line 3, after "50-24.1-37" insert ", and subsection 1 of section 54-27-25"

Page 1, line 3, after the second "to" insert "the moratorium on basic care, nursing facility bed capacity,"

Page 1, line 4, after "expansion" insert ", and tobacco settlement trust fund transfers"

Page 1, line 6, replace "a report" with "for reports"

Page 1, line 6, remove the second "a"

Page 1, line 7, replace "study" with "studies"

Page 1, line 7, replace "provide appropriations" with "authorize transfers"

Page 1, remove lines 20 through 24

Page 2, replace lines 1 and 2 with:

"Salaries and wages	\$28,049,386	(\$1,769,247)	\$26,280,139
Operating expenses	87,542,966	72,572,860	160,115,826
Capital assets	26,000	(26,000)	0
Grants	0	204,000	204,000
Total all funds	\$115,618,352	\$70,981,613	\$186,599,965
Less estimated income	71,324,758	58,154,800	129,479,558
Total general fund	\$44,293,594	\$12,826,813	\$57,120,407"

Page 2, replace lines 6 through 13 with:

"Salaries and wages	\$58,102,898	\$3,667,008	\$61,769,906
Operating expenses	107,383,843	17,338,098	124,721,941
Capital assets	0	10,000	10,000
Grants	457,953,280	(24,485,621)	433,467,659
Grants - medical assistance	2,384,560,568	213,559,361	2,598,119,929
Total all funds	\$3,008,000,589	\$210,088,846	\$3,218,089,435
Less estimated income	1,995,024,801	165,841,615	2,160,866,416
Total general fund	\$1,012,975,788	\$44,247,231	\$1,057,223,019"

Page 2, replace lines 18 through 22 with:

"Human service centers	\$198,888,443	(\$2,838,954)	\$196,049,489
Institutions	139,587,498	833,726	140,421,224
Total all funds	\$338,475,941	(\$2,005,228)	\$336,470,713

Less estimated income	<u>132,820,302</u>	<u>5,723,403</u>	<u>138,543,705</u>
Total general fund	\$205,655,639	(\$7,728,631)	\$197,927,008

Subdivision 4.

COUNTY SOCIAL SERVICE FINANCING

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
County social service financing	\$0	<u>\$26,000,000</u>	<u>\$26,000,000</u>
Total all funds	\$0	\$26,000,000	\$26,000,000
Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>
Total general fund	\$0	\$26,000,000	\$26,000,000"

Page 2, line 23, replace "4." with "5."

Page 2, replace lines 27 through 30 with:

"Grand total general fund	\$1,262,925,021	\$75,345,413	\$1,338,270,434
Grand total special funds	<u>2,199,169,861</u>	<u>229,719,818</u>	<u>2,428,889,679</u>
Grand total all funds	\$3,462,094,882	\$305,065,231	\$3,767,160,113
Full-time equivalent positions	2,211.08	(54.85)	2,156.23"

Page 3, line 2, replace "\$6,376,445" with "\$5,914,453"

Page 3, line 2, replace "\$5,350,004" with "\$4,962,381"

Page 3, line 3, replace "\$1,249" with "\$1,241"

Page 3, after line 20, insert:

"Medicaid expansion - fee schedule enhancement	0	226,000,000
County social services pilot program	0	26,000,000"

Page 3, replace lines 23 through 25 with:

"Total all funds	\$64,962,269	\$295,800,000
Less estimated income	<u>46,870,102</u>	<u>269,800,000</u>
Total general fund	\$18,092,167	\$26,000,000"

Page 4, line 29, replace "\$16,000,000" with "\$37,779,159"

Page 4, line 30, replace "in the medical services division" with "of the department of human services"

Page 5, line 2, replace "\$686,191" with "\$1,686,191"

Page 5, after line 3, insert:

"SECTION 10. ESTIMATED INCOME. Of funds appropriated in section 1 of this Act, \$18,000,000 is from the community health trust fund for the purpose of defraying expenses in the medical services division, for the biennium beginning July 1, 2017, and ending June 30, 2019."

Page 5, line 9, replace "**AND**" with a boldfaced comma

Page 5, line 10, after "**MARGINS**" insert ", **AND INCENTIVES**"

Page 5, line 11, replace "\$329,636" with "\$417,010"

Page 5, line 12, replace "\$329,636" with "\$417,010"

Page 5, line 14, replace "and" with a comma

Page 5, line 14, after "margins" insert ", and incentives"

Page 5, after line 15, insert:

"SECTION 13. APPROPRIATION - 2015-17 BIENNIUM - SUBSTANCE USE DISORDER VOUCHER PROGRAM. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$200,000, or so much of the sum as may be necessary, to the department of human services for the purpose of defraying the expenses of the substance use disorder voucher program, for the period beginning with the effective date of this Act, and ending June 30, 2017.

SECTION 14. LEGISLATIVE INTENT - SUBSTANCE USE DISORDER VOUCHER PROGRAM - MEDICATION ASSISTED TREATMENT. It is the intent of the sixty-fifth legislative assembly that the department of human services include medication assisted treatment as an allowable service under the substance use disorder voucher program. It is also the intent that payments for medication dispensed as part of the treatment be established quarterly, based on the Medicaid allowed amount, plus a weekly dispensing and administration fee of no more than the dispensing fee established under the state's medical assistance program.

SECTION 15. LEGISLATIVE INTENT - RESTORATION FUNDING FOR BASIC CARE. It is the intent of the sixty-fifth legislative assembly that the funding appropriated to the department of human services for the restoration of basic care provider rates be prioritized in the following order:

1. Operating margin;
2. Medical leave days; and then
3. Increase to limits.

SECTION 16. LEGISLATIVE INTENT - MEDICAID EXPANSION - FEE SCHEDULE. It is the intent of the sixty-fifth legislative assembly that the one-time funding of \$226,000,000, of which \$13,300,000 is from the tobacco prevention and control trust fund, provided for defraying a portion of the expenses of the Medicaid expansion program be used for establishing the provider fee schedule at the maximum level possible without exceeding the current levels of reimbursement for the Medicaid expansion contracted providers."

Page 5, after line 27, insert:

"SECTION 18. LEGISLATIVE INTENT - CARE COORDINATION AGREEMENTS. It is the intent of the sixty-fifth legislative assembly that the department of human services establish requisite agreements with tribal health care organizations that will result in one hundred percent federal funding for eligible medical assistance provided to American Indians through care coordination agreements for the biennium beginning July 1, 2017, and ending July 30, 2019.

SECTION 19. CARE COORDINATION AGREEMENTS - HEALTH CARE TRUST FUND DEPOSITS. The department of human services shall deposit any

federal funding received in excess of the state's regular federal medical assistance percentage resulting from the department establishing requisite agreements with tribal health care organizations in the health care trust fund for the biennium beginning July 1, 2017, and ending June 30, 2019. The department shall maintain a separate account within the health care trust fund for this funding."

Page 5, line 28, remove "**TRAUMATIC**"

Page 5, line 30, replace "apply for a" with "include services for individuals with a brain injury as part of the comprehensive assessment for a Medicaid"

Page 5, line 30, remove "for traumatic brain injury services"

Page 6, line 1, remove "an"

Page 6, line 1, remove "0.5 full-time equivalent position and"

Page 6, line 2, replace "this purpose" with "enhancing services through a Medicaid 1915(i) state plan amendment for individuals with a brain injury for the biennium beginning July 1, 2017, and ending June 30, 2019"

Page 7, after line 4, insert:

"SECTION 26. LEGISLATIVE INTENT - DEVELOPMENTAL DISABILITIES - VARIANCE. It is the intent of the sixty-fifth legislative assembly that during the 2017-19 biennium, the department of human services may authorize a treatment or care center's variance request relating to the treatment or care center's bedrooms or bathrooms, if the department determines the variance does not pose a health or safety risk. It is also the intent that the department of human services adopt rules to establish a variance process that allows the department to grant a variance if the variance will not pose a danger to the health or safety of an individual served by the treatment or care center.

SECTION 27. LEGISLATIVE INTENT - PROCESS AND OUTCOME MEASURES. It is the intent of the sixty-fifth legislative assembly that behavioral health service providers that receive funding from the department of human services submit process and outcome measures to the department for programs and services supported by state funding.

SECTION 28. LEGISLATIVE INTENT - TELEPHONE SUPPORT AND DIRECTORY SERVICES. It is the intent of the sixty-fifth legislative assembly that the vendor of telephone and directory services, under contract with the department of human services, include private behavioral health service providers in the vendor's directory at no cost to the private behavioral health service providers.

SECTION 29. REPORTING REQUIREMENTS - YOUTH ACCESS TO TOBACCO. The operating expenses line item in subdivision 2 of section 1 of this Act includes \$75,000 from the tobacco prevention and control trust fund for costs of complying with youth access to tobacco reporting requirements under title 45, Code of Federal Regulations, part 96, section 130, for the biennium beginning July 1, 2017, and ending June 30, 2019. The state department of health and local public health units shall collect and disclose all required data reporting elements to the department of human services.

SECTION 30. ROBINSON RECOVERY CENTER FUNDING. Notwithstanding the designation of funding for the Robinson recovery center in the appropriation for the

department of human services in section 1 of this Act, the department of human services may utilize other providers for substance use disorder treatment services if the current contractor is unable to provide the full capacity of services anticipated under the current contract for the biennium beginning July 1, 2017, and ending June 30, 2019.

SECTION 31. LEGISLATIVE INTENT - OPERATING EXPENSES. It is the intent of the sixty-fifth legislative assembly that the department of human services analyze its budgetary needs and allocate up to \$650,000 from the general fund included in the operating expenses line item in subdivision 1 of section 1 of this Act to other line items in subdivisions 1, 2, and 3 within section 1 of this Act based on the department's priorities resulting from its analysis."

Page 7, after line 25, insert:

"SECTION 33. LEGISLATIVE MANAGEMENT STUDY - BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES SERVICES. During the 2017-18 interim, the legislative management shall consider studying state and federal laws and regulations relating to the care and treatment of individuals with developmental disabilities or behavioral health needs.

1. The study must include a review of the following:
 - a. The state's services and delivery systems, including whether changes are necessary to maintain compliance with state and federal laws and regulations;
 - b. Efforts by other states to comply with the 1999 Olmstead v. L.C. case, including the planning and implementation process for any new programs;
 - c. Community- and non-community-based services, including the costs and effectiveness of services;
 - d. Noncompliance with state and federal laws and regulations, including a review of the fees and penalties for noncompliance;
 - e. A comparison of voluntary and involuntary compliance with state and federal laws and regulations, including a review of long-term costs and effectiveness;
 - f. The impact of implementation and expansion of selected programs that were added to address unmet needs, including the impact on costs and effectiveness of new programs;
 - g. Needed changes to address noncompliance and a timeline for completing changes;
 - h. Data on the number of individuals who would be impacted by voluntary compliance efforts, and data on the type of services that may need changing, including housing, peer counseling, outpatient treatment, crisis line access, and transportation services; and
 - i. An evaluation of the funding, mission, and caseload at the life skills and transition center, including the center's transition plan and number of clients eligible for community placement.

2. The legislative management shall report its findings and recommendations, together with any legislation necessary to implement those recommendations, to the sixty-sixth legislative assembly.

SECTION 34. LEGISLATIVE MANAGEMENT STUDY - DEPARTMENT OF HUMAN SERVICES DELIVERY SYSTEM. During the 2017-18 interim, the legislative management shall consider conducting a comprehensive study of the department of human services.

1. The study must include:
 - a. A review of the continuum of services for each population served, the delivery methods for those services, and the efficiency and effectiveness of the services.
 - b. The involvement of federal, state, and local governments and for-profit and nonprofit entities in the provision and funding of services.
 - c. An analysis of the funding levels for the programs and services included in the delivery system.
 - d. Consideration of the appropriate role for each of the entities involved in the delivery system.
 - e. The development of a comprehensive master structure for the system.
2. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-sixth legislative assembly.

SECTION 35. LEGISLATIVE MANAGEMENT STUDY - NURSING FACILITY RATES. During the 2017-18 interim, the legislative management shall consider studying the nursing facility rate components to determine the adequacy of reimbursement and evaluate the efficiency of nursing facility operations. The study must identify and review potential quality measures relating to nursing facilities and consider the feasibility and desirability of using quality measures as a component of reimbursement. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-sixth legislative assembly.

SECTION 36. AMENDMENT. Subsection 1 of section 23-09.3-01.1 of the North Dakota Century Code is amended and reenacted as follows:

1. Basic care beds may not be added to the state's licensed bed capacity during the period between August 1, ~~2015~~2017, and July 31, ~~2017~~2019, except when:
 - a. A nursing facility converts nursing facility beds to basic care;
 - b. An entity licenses bed capacity transferred as basic care bed capacity under section 23-16-01.1;
 - c. An entity demonstrates to the state department of health and the department of human services that basic care services are not readily available within a designated area of the state or that existing basic care beds within a fifty-mile [80.47-kilometer] radius have been occupied at ninety percent or more for the previous twelve months. In

determining whether basic care services will be readily available if an additional license is issued, preference may be given to an entity that agrees to any participation program established by the department of human services for individuals eligible for services under the medical assistance program under title XIX of the Social Security Act [42 U.S.C. 1396 et seq.]; or

- d. The state department of health and the department of human services grant approval of new basic care beds to an entity. The approved entity shall license the beds within forty-eight months from the date of approval.

SECTION 37. AMENDMENT. Subsection 1 of section 23-16-01.1 of the North Dakota Century Code is amended and reenacted as follows:

1. Notwithstanding sections 23-16-06 and 23-16-10, except when a facility reverts basic care beds to nursing facility beds or relicenses nursing facility beds delicensed after July 31, 2011, nursing facility beds may not be added to the state's licensed bed capacity during the period between August 1, ~~2015~~2017, and July 31, ~~2017~~2019. A nursing facility may not delicense nursing facility bed capacity, relicense nursing facility bed capacity, convert licensed nursing bed capacity to basic care bed capacity, revert licensed basic care bed capacity back to nursing facility bed capacity, or otherwise reconfigure licensed nursing facility bed capacity more than one time in a twelve-month period."

Page 8, line 8, remove "Effective January 1, 2018, medical assistance expansion program applicants and"

Page 8, remove lines 9 and 10

Page 8, line 11, remove "4."

Page 8, line 13, replace "5." with "4."

Page 8, line 24, after "service" insert "and must allow for all contracted pharmacy providers to dispense any and all drugs included in the benefit plan and allowed under the pharmacy provider's license"

Page 9, line 2, replace "6." with "5."

Page 9, line 9, replace "7." with "6."

Page 9, after line 14, insert:

SECTION 39. AMENDMENT. Subsection 1 of section 54-27-25 of the North Dakota Century Code is amended and reenacted as follows:

1. There is created in the state treasury a tobacco settlement trust fund. The fund consists of the tobacco settlement dollars obtained by the state under subsection IX(c)(1) of the master settlement agreement and consent agreement adopted by the east central judicial district court in its judgment entered December 28, 1998 [Civil No. 98-3778] in State of North Dakota, ex rel. Heidi Heitkamp v. Philip Morris, Inc. Except as provided in subsection 2, moneys received by the state under subsection IX(c)(1) must be deposited in the fund. Interest earned on the fund must be credited to the fund and deposited in the fund. The principal and interest of the fund

may be appropriated to the attorney general for the purpose of enforcing the master settlement agreement and any disputes with the agreement. All remaining principal and interest of the fund must be allocated as follows:

- a. Transfers to a community health trust fund to be administered by the state department of health. The state department of health may use funds as appropriated for community-based public health programs and other public health programs, including programs with emphasis on preventing or reducing tobacco usage in this state. Transfers under this subsection must equal ~~ten~~fifty-five percent of total annual transfers from the tobacco settlement trust fund of which a minimum of eighty percent must be used for tobacco prevention and control.
- b. ~~Transfers to the common schools trust fund to become a part of the principal of that fund. Transfers under this subsection must equal forty-five percent of total annual transfers from the tobacco settlement trust fund.~~
- e. Transfers to the water development trust fund to be used to address the long-term water development and management needs of the state. Transfers under this subsection must equal forty-five percent of the total annual transfers from the tobacco settlement trust fund."

Page 9, line 16, replace "21" with "40"

Page 9, after line 19, insert:

"SECTION 42. EXPIRATION DATE. Section 39 of this Act is effective through June 30, 2019, and after that date is ineffective."

Page 9, line 20, remove "10,"

Page 9, line 20, after the second comma insert "12, 13,"

Page 9, line 20, replace "15" with "22"

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1012 - Summary of Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
DHS - Management						
Total all funds	\$115,618,352	\$183,107,141	\$3,492,824	\$186,599,965	\$188,965,972	(\$2,366,007)
Less estimated income	71,324,758	128,092,518	1,387,040	129,479,558	130,363,310	(883,752)
General fund	\$44,293,594	\$55,014,623	\$2,105,784	\$57,120,407	\$58,602,662	(\$1,482,255)
DHS - Program/Policy						
Total all funds	\$3,008,000,589	\$3,003,441,602	\$214,647,833	\$3,218,089,435	\$3,256,351,303	(\$38,261,868)
Less estimated income	1,995,024,801	1,904,175,061	256,691,355	2,160,866,416	2,151,061,337	9,805,079
General fund	\$1,012,975,788	\$1,099,266,541	(\$42,043,522)	\$1,057,223,019	\$1,105,289,966	(\$48,066,947)
DHS - Field Services						
Total all funds	\$338,475,941	\$335,651,282	\$819,431	\$336,470,713	\$337,852,305	(\$1,381,592)
Less estimated income	132,820,302	138,122,012	421,693	138,543,705	139,114,251	(570,546)
General fund	\$205,655,639	\$197,529,270	\$397,738	\$197,927,008	\$198,738,054	(\$811,046)
DHS - County Social Services Financing						
Total all funds	\$0	\$0	\$26,000,000	\$26,000,000	\$0	\$26,000,000

Less estimated income	0	0	0	0	0	0
General fund	\$0	\$0	\$26,000,000	\$26,000,000	\$0	\$26,000,000
Bill total						
Total all funds	\$3,462,094,882	\$3,522,200,025	\$244,960,088	\$3,767,160,113	\$3,783,169,580	(\$16,009,467)
Less estimated income	2,199,169,861	2,170,389,591	258,500,088	2,428,889,679	2,420,538,898	8,350,781
General fund	\$1,262,925,021	\$1,351,810,434	(\$13,540,000)	\$1,338,270,434	\$1,362,630,682	(\$24,360,248)

House Bill No. 1012 - DHS - Management - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$28,049,386	\$23,437,315	\$2,842,824	\$26,280,139	\$28,193,528	(\$1,913,389)
Operating expenses	87,542,966	159,465,826	650,000	160,115,826	160,568,444	(452,618)
Capital assets	26,000					
Grants		204,000		204,000	204,000	
Total all funds	\$115,618,352	\$183,107,141	\$3,492,824	\$186,599,965	\$188,965,972	(\$2,366,007)
Less estimated income	71,324,758	128,092,518	1,387,040	129,479,558	130,363,310	(883,752)
General fund	\$44,293,594	\$55,014,623	\$2,105,784	\$57,120,407	\$58,602,662	(\$1,482,255)
FTE	147.10	122.45	18.00	140.45	150.45	(10.00)

Department No. 326 - DHS - Management - Detail of Conference Committee Changes

	Management ¹	Total Conference Committee Changes
Salaries and wages	\$2,842,824	\$2,842,824
Operating expenses	650,000	650,000
Capital assets		
Grants		
Total all funds	\$3,492,824	\$3,492,824
Less estimated income	1,387,040	1,387,040
General fund	\$2,105,784	\$2,105,784
FTE	18.00	18.00

¹

Management - Conference Committee Changes:

	FTE Positions	General Fund	Other Funds	Total
Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month		(26,664)	(12,933)	(39,597)
Adds funding for paying employees' accumulated annual and sick leave for eligible employees leaving state service		84,610	43,811	128,421
Adds funding for departmentwide operating expenses		650,000	0	650,000
Restores departmentwide FTE positions	18.00	1,397,838	1,356,162	2,754,000
Total Changes - Management	18.00	\$2,105,784	\$1,387,040	\$3,492,824

House Bill No. 1012 - DHS - Program/Policy - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$58,102,898	\$60,987,433	\$782,473	\$61,769,906	\$61,721,028	\$48,878
Operating expenses	107,383,843	124,591,049	130,892	124,721,941	124,923,941	(202,000)
Capital assets		10,000		10,000	10,000	
Grants	457,953,280	463,874,768	(30,407,109)	433,467,659	465,059,768	(31,592,109)
Grants - Medical assistance	2,384,560,568	2,353,978,352	244,141,577	2,598,119,929	2,604,636,566	(6,516,637)

Total all funds	\$3,008,000,589	\$3,003,441,602	\$214,647,833	\$3,218,089,435	\$3,256,351,303	(\$38,261,868)
Less estimated income	1,995,024,801	1,904,175,061	256,691,355	2,160,866,416	2,151,061,337	9,805,079
General fund	\$1,012,975,788	\$1,099,266,541	(\$42,043,522)	\$1,057,223,019	\$1,105,289,966	(\$48,066,947)
FTE	348.50	358.50	2.00	360.50	359.50	1.00

Department No. 328 - DHS - Program/Policy - Detail of Conference Committee Changes

	Program and Policy ¹	Total Conference Committee Changes
Salaries and wages	\$782,473	\$782,473
Operating expenses	130,892	130,892
Capital assets		
Grants	(30,407,109)	(30,407,109)
Grants - Medical assistance	244,141,577	244,141,577
Total all funds	\$214,647,833	\$214,647,833
Less estimated income	256,691,355	256,691,355
General fund	(\$42,043,522)	(\$42,043,522)
FTE	2.00	2.00

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Program and Policy - Conference Committee Changes:

	FTE Positions	General Fund	Other Funds	Total
Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month		(43,940)	(32,239)	(76,179)
Adds funding for paying employees' accumulated annual and sick leave for eligible employees leaving state service		169,458	340,113	509,571
Economic Assistance				
Adjusts funding for county social services financing		(5,020,286)	0	(5,020,286)
Moves funding added by the House for alternatives to abortion services from children and family services		0	100,000	100,000
Medical Services				
Adjusts funding for county social services financing		(10,416,499)	10,416,499	0
Removes funding of \$1,779,159 from the tobacco prevention and control trust fund and related federal funding for opioid treatment		0	(3,558,318)	(3,558,318)
Adds funding for physical, occupational, and speech therapy service provider rate increases to 75 percent		56,485	56,485	112,970
Adds funding to continue Medicaid Expansion for 19 and 20 year olds as managed care		1,653,008	1,652,962	3,305,970
Adds \$13.3 million of one-time funding from the tobacco prevention and control trust fund and related federal funding to continue the Medicaid Expansion program as managed care at commercial rates		0	226,000,000	226,000,000
Adds 1 FTE position for administering tribal health care agreements	1.00	76,500	76,500	153,000
Replaces general fund support with funding from the community health trust fund		(18,000,000)	18,000,000	0
Replaces general fund support with funding from the tobacco prevention and control trust fund		(7,175,000)	7,175,000	0
Long-Term Care				
Adjusts funding for nursing home incentives		1,152,003	1,152,003	2,304,006
Adds funding, of which \$1 million is from the health care trust fund to increase nursing facility operating margin, effective January 1, 2018		0	2,000,000	2,000,000
Adds funding from the tobacco prevention and control trust fund for basic care services		0	450,000	450,000

Adds funding for the Fair Labor Standards Act - Home Care Rule funding for qualified service providers		2,871,613	1,937,248	4,808,861	
Children and Family Services					
Adjusts funding for county social services financing		(10,563,215)	(17,358,767)	(27,921,982)	
Moves funding added by the House for alternatives to abortion services to economic assistance		0	(100,000)	(100,000)	
Behavioral Health Division					
Restores a portion of the funding removed by the House for Parent's LEAD program		100,000	0	100,000	
Adds funding for the substance use disorder voucher program, of which \$1,779,159 is from the tobacco prevention and control trust fund to provide \$2,779,159		625,000	1,779,159	2,404,159	
Adds funding from the tobacco prevention and control trust fund for tobacco prevention related activities		0	75,000	75,000	
Adds federal funds for opioid treatment programs		0	4,000,000	4,000,000	
Developmental Disabilities					
Restores funding removed by the House for rate adjustments		6,109,044	6,109,045	12,218,089	
Adjusts funding for cost and caseload		(4,000,000)	(4,000,001)	(8,000,001)	
Adds 1 FTE position and related funding for specialized services for individuals with developmental disabilities	1.00	250,307	260,666	510,973	
Adds federal funding for the Experienced Parent program to provide a total of \$260,000		0	160,000	160,000	
Adds funding for corporate guardianship services for individuals with developmental disabilities		112,000	0	112,000	
Total changes - Program and policy		2.00	(\$42,043,522)	\$256,691,355	\$214,647,833

House Bill No. 1012 - DHS - Field Services - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Human service centers	\$198,888,443	\$195,804,854	\$244,635	\$196,049,489	\$197,096,856	(\$1,047,367)
Institutions	139,587,498	139,846,428	574,796	140,421,224	140,755,449	(334,225)
Total all funds	\$338,475,941	\$335,651,282	\$819,431	\$336,470,713	\$337,852,305	(\$1,381,592)
Less estimated income	132,820,302	138,122,012	421,693	138,543,705	139,114,251	(570,546)
General fund	\$205,655,639	\$197,529,270	\$397,738	\$197,927,008	\$198,738,054	(\$811,046)
FTE	1715.48	1655.28	0.00	1655.28	1655.28	0.00

Department No. 349 - DHS - Field Services - Detail of Conference Committee Changes

	Field Services ¹	Total Conference Committee Changes
Human service centers	\$244,635	\$244,635
Institutions	574,796	574,796
Total all funds	\$819,431	\$819,431
Less estimated income	421,693	421,693
General fund	\$397,738	\$397,738
FTE	0.00	0.00

Field Services - Conference Committee Changes:

	FTE Positions	General Fund	Other Funds	Total
Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month		(317,019)	(29,197)	(346,216)
Adds funding for paying employees' accumulated annual and sick leave for eligible employees leaving state services		714,757	450,890	1,165,647
Total changes - Field services	0.00	\$397,738	\$421,693	\$819,431

House Bill No. 1012 - DHS - County Social Services Financing - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
County social services financing			\$26,000,000	\$26,000,000		\$26,000,000
Total all funds	\$0	\$0	\$26,000,000	\$26,000,000	\$0	\$26,000,000
Less estimated income	0	0	0	0	0	0
General fund	\$0	\$0	\$26,000,000	\$26,000,000	\$0	\$26,000,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department No. 333 - DHS - County Social Services Financing - Detail of Conference Committee Changes

	County Social Services Financing ¹	Total Conference Committee Changes
County social services financing	\$26,000,000	\$26,000,000
Total all funds	\$26,000,000	\$26,000,000
Less estimated income	0	0
General fund	\$26,000,000	\$26,000,000
FTE	0.00	0.00

County Social Services Financing - Conference Committee Changes:

	FTE Positions	General Fund	Other Funds	Total
County social services financing pilot program		\$26,000,000	\$0	\$26,000,000
Total changes - County Social Services Financing	0.00	\$26,000,000	\$0	\$26,000,000

This amendment also:

- 1 Adjusts a section to provide a deficiency appropriation of \$417,010 from the general fund and \$417,010 from other funds for rebasing, operating margins, and incentives for long-term care facilities, the same as the Senate version. The House version provided \$329,636 from the general fund and \$329,636 from other funds, for rebasing and operating margins only.
- 2 Adds a section to provide estimated income of \$18 million from the community health trust fund.
- 3 Adjusts a section to provide estimated income of \$37,779,159 from the tobacco prevention and control trust fund, the same as the Senate. The House provided \$16 million.
- 4 Adds a section to provide \$200,000 from the general fund as an emergency measure for the Substance Use Disorder Voucher (SUD) program for the 2015-17 biennium, the same as the Senate version.
- 5 Adds a section of legislative intent that the Department of Human Services include medication assisted treatment as an allowable service under the substance use disorder voucher program. Neither the Senate nor the House included this section.
- 6 Adds a section providing for the prioritization of funding restored for basic care provider rates, the same as the Senate version.
- 7 Adds a section of legislative intent relating to the Medicaid Expansion program fee schedule. Neither the Senate nor the House included this section.
- 8 Adds a section of legislative intent that the Department of Human Services establish requisite agreements with tribal health care organizations that will result in 100 percent federal funding for eligible medical assistance provided to American Indians. The same as the Senate version.

- 9 Adds a section to provide that any federal funding received in excess of the state's regular federal medical assistance percentage resulting from the department establishing requisite agreements with tribal health care organizations be deposited and separately accounted for in the health care trust fund.
- 10 Adds a section of legislative intent that the Department of Human Services include services for individuals with a brain injury as part of the comprehensive assessment for a Medicaid 1915(i) state plan amendment. The same as the Senate version.
- 11 Adds a section of legislative intent allowing the department to authorize treatment or care center's variance request relating to the treatment or care center's bedrooms or bathrooms, the same as the Senate version.
- 12 Adds a section of legislative intent that behavioral health service providers that receive funding from the Department of Human Services to submit process and outcome measures, the same as the Senate version.
- 13 Adds a section of legislative intent that the vendor of telephone and directory services under contract with the Department of Human Services include private behavioral health service providers in the vendor's directory at no cost to the private behavioral health service providers, the same as the Senate version.
- 14 Adds a section that identifies \$75,000 from the tobacco prevention and control trust fund for costs of complying with youth access to tobacco reporting requirements under Title 45, Code of Federal Regulations, Part 96, Section 130, the same as the Senate version.
- 15 Adds a section to provide that the Department of Human Services may utilize other providers for substance use disorder treatment services if the current contractor is unable to provide the full capacity of services anticipated under the current contract, the same as the Senate version.
- 16 Adds a section of legislative intent for the Department of Human Services to analyze its budgetary needs and allocate up to \$650,000 from the general fund included in the operating expenses line item in subdivision 1 of section 1 to other subdivisions based on the department's priorities resulting from its analysis. The Senate version provided for allocating up to \$1,102,618.
- 17 Adds a section to provide for a Legislative Management study of state and federal laws and regulations relating to the care and treatment of individuals with developmental disabilities or behavioral health needs. In addition, this section provides for an evaluation of the funding, mission, and caseload at the Life Skills and Transition Center. The Senate version did not include providing for an evaluation of the funding, mission, and caseload at the Life Skills and Transition Center.
- 18 Adds a section to provide for a Legislative Management study of the Department of Human Services delivery system. Neither the Senate nor the House included this section.
- 19 Adds a section to provide for a Legislative Management study of nursing facility rate components. Neither the Senate nor the House included this section.
- 20 Adds a section to amend North Dakota Century Code Section 23-09.3-01.1(1) to extend the moratorium on basic care beds to July 31, 2019, the same as the Senate.
- 21 Adds a section to amend Section 23-16-01.1(1) to extend the moratorium on nursing facility beds to July 31, 2019, the same as the Senate.
- 22 Adjusts a section relating to Medicaid Expansion, to require the Medicaid Expansion contract to allow pharmacy providers to dispense any and all drugs included in the benefit plan and allowed under the pharmacy provider's license. In addition, this section removes language that would provide for applicants and recipients at least 19 but less than 21 years of age to receive coverage through traditional medical assistance. The Senate version did not include language to require the Medicaid Expansion contract to allow pharmacy providers to dispense any and all drugs. The House version provided for applicants and recipients at least 19 but less than 21 years of age to receive coverage through traditional medical assistance.
- 23 Adds a section to amend Section 54-27-25(1) to increase the tobacco settlement proceeds deposited in the community health trust fund from 10 to 55 percent for the 2017-19 biennium, and eliminate the 45 percent allocation from the tobacco settlement proceeds deposited in the common schools trust fund for the 2017-19 biennium. Neither the Senate nor the House included this section.
- 24 Adjusts a section to provide estimated income of \$1,686,191 from the health care trust fund. The House and Senate versions included \$686,191 from the health care trust fund.