

Introduced by

Senators Hogan, J. Lee, Luick

Representatives Rohr, Schneider, Westlund

1 A BILL for an Act to amend and reenact section 50-06-37 of the North Dakota Century Code,  
2 relating to the developmental disabilities system reimbursement project; to provide a statement  
3 of legislative intent; ~~to provide for a legislative management study;~~ and to provide for a  
4 legislative management report.

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

6 **SECTION 1. AMENDMENT.** Section 50-06-37 of the North Dakota Century Code is  
7 amended and reenacted as follows:

8 **50-06-37. Developmental disabilities system reimbursement project.**

9 The department of human services, in conjunction with developmental disabilities  
10 ~~service~~community providers, shall ~~develop~~maintain a prospective ~~or related~~ payment system  
11 ~~with an independent rate model utilizing the support intensity scale~~based on a state-approved  
12 assessment.

- 13 1. The department shall ~~establish~~maintain a steering committee consisting of  
14 representatives from all interested providers and department representatives. ~~The~~  
15 ~~steering committee shall guide the development of the new payment system including~~  
16 ~~assisting a consultant to conceptualize, develop, design, implement, and evaluate a~~  
17 ~~new payment system.~~
- 18 2. The department shall ~~may~~ contract with a consultant by ~~September 1, 2011,~~ to  
19 ~~develop~~continuously improve, in collaboration with the steering committee, the  
20 payment system and the resource allocation model tying funding to ~~support intensity~~  
21 ~~scale assessed needs of clients~~ aged sixteen and older and to a state-approved  
22 assessment that assesses needs of ~~For clients younger than sixteen years of age, the~~  
23 ~~department may tie funding to a state-approved assessment.~~

1 ~~3.~~ After the prospective or related payment system rates are developed, the new rates  
2 must be tested on a sampling of clients and providers, the sample to be determined by  
3 the steering committee, allowing sufficient time to capture provider cost, client-realized  
4 need, and service provision data. The consultant steering committee shall provide the  
5 appropriate sampling number to sufficiently test the rates, types of services, and  
6 needs of clients with the intent to include as many providers as fiscally feasible.

7 4.3. The department shall contract with a ~~team of support intensity scale assessors~~ by  
8 September 1, 2011. The team shall begin assessing immediately the identified client  
9 pilot group identified by the consultant contracted in subsection 2 vendor to complete  
10 assessments based on the state-approved assessment.

11 ~~5.~~ Once testing is complete, the data

12 4. Data must be analyzed by the consultant steering committee, and the  
13 consultant steering committee shall make recommend to the department any ~~needed~~  
14 rate adjustments, resource allocation modifications, or process assumptions, including  
15 the state-approved assessment.

16 ~~6.~~ Beginning in June 2012, the

17 5. The department and the steering committee shall report development activities and  
18 status information to an interim legislative committee.

19 ~~7.~~ Implementation of any system developed under this chapter may not occur before the  
20 implementation of the department's new Medicaid management information system.

21 **SECTION 2. LEGISLATIVE INTENT - ONGOING IMPROVEMENTS.** It is the intent of the  
22 sixty-sixth Legislative Assembly that, ~~within the limits of legislative appropriations,~~ the  
23 department of human services continue to work with ~~the North Dakota association of~~ community  
24 providers to ~~revise~~ consider revising administrative ~~and regulatory~~ requirements regarding  
25 developmental disability service providers to minimize disruption and maximize effectiveness of  
26 direct services to clients.

27 **SECTION 3. LEGISLATIVE INTENT - COMMUNITY PROVIDER CAPACITY -**  
28 **INTELLECTUAL DISABILITY SYSTEM - REPORT TO LEGISLATIVE MANAGEMENT.** It is the  
29 intent of the sixty-sixth legislative assembly that, ~~within the limits of legislative appropriations,~~  
30 the department of human services continue to work with ~~the North Dakota Association of~~  
31 community providers to ~~create~~ continuously ~~improving~~ improve community provider capacity to

1 serve clients ~~with elevated medical, behavioral, and other needs~~ in the least restrictive  
2 appropriate setting. ~~Biannually, the~~ The department shall provide the legislative management a  
3 status report on the ongoing work of the department to improve community provider capacity,  
4 together with any barriers encountered. The department shall also provide a report to the  
5 legislative management regarding the system of services for individuals with an intellectual or  
6 developmental disability, including a review of the existing service system, funding, and unmet  
7 needs.

8 ~~—SECTION 4. LEGISLATIVE MANAGEMENT STUDY – INTELLECTUAL DISABILITY–~~

9 ~~**SYSTEM.** During the 2019-20 interim, the legislative management shall consider studying the~~  
10 ~~system of services for individuals with an intellectual disability, including review of the current~~  
11 ~~service system, funding, and unmet needs. The legislative management shall report its findings~~  
12 ~~and recommendations, together with any legislation necessary to implement the~~  
13 ~~recommendations, to the sixty-seventh legislative assembly.~~