

Sixty-sixth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2247

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; and to provide for a legislative management report.

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

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

7 **50-06-37. Developmental disabilities system reimbursement project.**

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

12 1. The department shall ~~establish~~maintain a steering committee consisting of
13 representatives from all interested providers ~~and~~ clients, the department
14 representatives, and the North Dakota protection and advocacy project. The steering-
15 committee shall guide the development of the new payment system including assisting
16 a consultant to conceptualize, develop, design, implement, and evaluate a new-
17 payment system.

18 2. The department shall ~~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 clients younger than sixteen years of age~~ the
23 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 shall provide the appropriate~~
5 ~~sampling number to sufficiently test the rates, types of services, and needs of clients~~
6 ~~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 the department of human services continue to work with
23 community providers to consider revising administrative requirements regarding developmental
24 disability service providers to minimize disruption and maximize effectiveness of direct services
25 to clients.

26 **SECTION 3. LEGISLATIVE INTENT - COMMUNITY PROVIDER CAPACITY -**
27 **INTELLECTUAL DISABILITY SYSTEM - REPORT TO LEGISLATIVE MANAGEMENT.** It is the
28 intent of the sixty-sixth legislative assembly that the department of human services continue to
29 work with community providers to continuously improve community provider capacity to serve
30 clients in the least restrictive appropriate setting. The department shall provide the legislative
31 management a status report on the ongoing work of the department to improve community

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- 1 provider capacity, together with any barriers encountered. The department shall also provide a
- 2 report to legislative management regarding the system of services for individuals with an
- 3 intellectual or developmental disability, including a review of the existing service system,
- 4 funding, and unmet needs.