

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

SENATE BILL NO. 2247
(Senators Hogan, J. Lee, Luick)
(Representatives Rohr, Schneider, Westlind)

AN ACT to amend and reenact section 50-06-37 of the North Dakota Century Code, relating to the developmental disabilities system reimbursement project; to provide a statement of legislative intent; and to provide for a legislative management report.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

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

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

1. The department shall ~~establish~~ maintain a steering committee consisting of no more than eighteen representatives from all interested providers ~~and which must include no more than two clients, no more than one family member of a client, a representative of the department representatives, and a representative of the North Dakota protection and advocacy project.~~ The steering committee shall guide the development of the new payment system including assisting a consultant to conceptualize, develop, design, implement, and evaluate a new payment system.
2. The department shall ~~may~~ contract with a consultant ~~by September 1, 2011,~~ to ~~develop~~ continuously improve, in collaboration with the steering committee, the payment system and the resource allocation model tying funding to ~~support intensity scale assessed needs of clients aged sixteen and older and to a state-approved assessment that assesses needs of clients younger than sixteen years of age~~ the state-approved assessment.
3. After the prospective or related payment system rates are developed, the new rates must be tested on a sampling of clients and providers, the sample to be determined by the steering committee, allowing sufficient time to capture provider cost, client-realized need, and service provision data. The consultant shall provide the appropriate sampling number to sufficiently test the rates, types of services, and needs of clients with the intent to include as many providers as fiscally feasible.
- 4.3. The department shall contract with a team of support intensity scale assessors ~~by September 1, 2011. The team shall begin assessing immediately the identified client pilot group identified by the consultant contracted in subsection 2~~ vendor to complete assessments based on the state-approved assessment.
5. Once testing is complete, the data
4. Data must be analyzed by the ~~consultant~~ steering committee, and the ~~consultant~~ steering committee shall ~~make~~ recommend to the department any needed rate adjustments, resource allocation modifications, or process assumptions, including the state-approved assessment.
6. Beginning in June 2012, the

5. The department and the steering committee shall report development activities and status information to an interim legislative committee.
7. ~~Implementation of any system developed under this chapter may not occur before the implementation of the department's new Medicaid management information system.~~

SECTION 2. LEGISLATIVE INTENT - ONGOING IMPROVEMENTS. It is the intent of the sixty-sixth Legislative Assembly that the department of human services continue to work with community providers to consider revising administrative requirements regarding developmental disability service providers to minimize disruption and maximize effectiveness of direct services to clients.

SECTION 3. LEGISLATIVE INTENT - COMMUNITY PROVIDER CAPACITY - INTELLECTUAL DISABILITY SYSTEM - REPORT TO LEGISLATIVE MANAGEMENT. It is the intent of the sixty-sixth legislative assembly that the department of human services continue to work with community providers to continuously improve community provider capacity to serve clients in the least restrictive appropriate setting. The department shall provide the legislative management a status report on the ongoing work of the department to improve community provider capacity, together with any barriers encountered. The department shall also provide a report to legislative management regarding the system of services for individuals with an intellectual or developmental disability, including a review of the existing service system, funding, and unmet needs.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-sixth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2247.

Senate Vote: Yeas 45 Nays 1 Absent 1

House Vote: Yeas 88 Nays 2 Absent 4

Secretary of the Senate

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