

**FIRST ENGROSSMENT  
with Senate Amendments  
ENGROSSED HOUSE BILL NO. 1126**

Introduced by

Representative Weisz

Senator J. Lee

1 A BILL for an Act to amend and reenact section 23-09.3-08.1 of the North Dakota Century  
2 Code, relating to basic care facility end-of-life services.

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

4 **SECTION 1. AMENDMENT.** Section 23-09.3-08.1 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **23-09.3-08.1. Admission of residents to basic care facility - Restrictions - Exception.**

7 1. A basic care facility may not admit and retain ~~only~~ an individual ~~for whom~~ unless the  
8 facility:

9 a. Facility provides, directly or through contract, appropriate services within the  
10 facility to attain or maintain the individual at the individual's highest practicable  
11 level of functioning. ~~A basic care facility may admit or retain only an individual~~  
12 ~~whose condition; and~~

13 b. Condition and abilities of that individual are consistent with the national fire  
14 protection association 101 life safety code requirements.

15 2. Notwithstanding contrary provisions in subsection 1, a basic care facility may retain an  
16 individual in need of end-of-life services if the facility wraps around the individual's  
17 family, or the individual's designee, volunteers, or staff services to support the  
18 individual through end of life. The facility, individual, or the individual's designee may  
19 contract with a person or hospice agency to meet the needs of the individual. A basic  
20 care facility continues to be responsible for the care and services of every resident.