

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the department of
 2 human services; to create and enact a new section to chapter 50-06 of the North Dakota
 3 Century Code, relating to substance use disorder treatment voucher system grants; to amend
 4 and reenact sections 50-06-42 and 50-24.1-37 of the North Dakota Century Code, relating to
 5 the substance use disorder voucher program and the Medicaid expansion program; to repeal
 6 section 50-24.1-18.1 of the North Dakota Century Code, relating to consumer-directed health
 7 maintenance services; to provide an exemption; to provide a statement of legislative intent; to
 8 provide for a report; to provide for a study; to provide for a transfer; to provide for the
 9 conveyance of land; to provide an application; to provide an effective date; to provide an
 10 expiration date; and to declare an emergency.

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

12 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
 13 as may be necessary, are appropriated out of any moneys in the general fund in the state
 14 treasury, not otherwise appropriated, and from special funds derived from federal funds and
 15 other income, to the department of human services for the purpose of defraying the expenses of
 16 its various divisions, for the biennium beginning July 1, 2021, and ending June 30, 2023, as
 17 follows:

18 Subdivision 1.

19 MANAGEMENT

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
22 Salaries and wages	\$20,222,500	(\$890,281)	\$19,332,219
23 Operating expenses	134,438,862	77,342,233	211,781,095
24 Capital assets	<u>50,000</u>	<u>25,000</u>	<u>75,000</u>

Sixty-seventh
Legislative Assembly

1	Total all funds	\$154,711,362	\$76,476,952	\$231,188,314
2	Less estimated income	<u>90,021,088</u>	<u>49,907,855</u>	<u>139,928,943</u>
3	Total general fund	\$64,690,274	\$26,569,097	\$91,259,371
4	Subdivision 2.			

PROGRAM AND POLICY

6			Adjustments or	
7		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
8	Salaries and wages	\$68,994,873	\$50,364,134	\$119,359,007
9	Operating expenses	150,961,583	15,702,927	166,664,510
10	Capital assets	10,000	0	10,000
11	Grants	452,041,904	9,311,450	461,353,354
12	Grants - medical assistance	<u>2,742,157,720</u>	<u>273,030,980</u>	<u>3,015,188,700</u>
13	Total all funds	\$3,414,166,080	\$348,409,491	\$3,762,575,571
14	Less estimated income	<u>2,232,568,138</u>	<u>235,823,355</u>	<u>2,468,391,493</u>
15	Total general fund	\$1,181,597,942	\$112,586,136	\$1,294,184,078
16	Subdivision 3.			

FIELD SERVICES

18			Adjustments or	
19		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
20	Human service centers	\$204,701,143	(\$37,774,523)	\$166,926,620
21	Institutions	<u>137,476,480</u>	<u>(6,858,717)</u>	<u>130,617,763</u>
22	Total all funds	\$342,177,623	(\$44,633,240)	\$297,544,383
23	Less estimated income	<u>127,314,955</u>	<u>(13,370,943)</u>	<u>113,944,012</u>
24	Total general fund	\$214,862,668	(\$31,262,297)	\$183,600,371

Subdivision 4.

COUNTY SOCIAL SERVICE FINANCING

27			Adjustments or	
28		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
29	County social services	<u>\$173,700,000</u>	<u>\$16,451,515</u>	<u>\$190,151,515</u>
30	Total all funds	\$173,700,000	\$16,451,515	\$190,151,515

Sixty-seventh
Legislative Assembly

1	Less estimated income	<u>173,700,000</u>	<u>15,139,791</u>	<u>188,839,791</u>
2	Total general fund	\$0	\$1,311,724	\$1,311,724
3	Subdivision 5.			
4	TOTAL - SECTION 1			
5			Adjustments or	
6		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
7	Grand total general fund	\$1,461,150,884	\$109,204,660	\$1,570,355,544
8	Grant total special funds	<u>2,623,604,181</u>	<u>287,500,058</u>	<u>2,911,104,239</u>
9	Grant total all funds	\$4,084,755,065	\$396,704,718	\$4,481,459,783
10	Full-time equivalent positions	2,230.23	1.60	2,231.83

11 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-**
 12 **EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items
 13 approved by the sixty-sixth legislative assembly for the 2019-21 biennium and the one-time
 14 funding items included in the appropriation in section 1 of this Act:

15	<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
16	Technology projects	\$13,785,658	\$67,641,747
17	Capital projects - life skills and transition center	4,277,165	0
18	Capital projects - state hospital	2,493,500	0
19	Medically complex children provider funding	977,603	0
20	Hyperbaric oxygen therapy grant	335,000	0
21	State hospital study	200,000	300,000
22	Medicaid system consultant	0	300,000
23	Nursing facility payment methodology	<u>0</u>	<u>7,200,000</u>
24	Total all funds	\$22,068,926	\$75,441,747
25	Less estimated income	<u>20,556,323</u>	<u>51,607,531</u>
26	Total general fund	\$1,512,603	\$23,834,216

27 The 2021-23 biennium one-time funding amounts are not a part of the entity's base budget
 28 for the 2023-25 biennium. The department of human services shall report to the appropriations
 29 committees of the sixty-eighth legislative assembly on the use of this one-time funding for the
 30 biennium beginning July 1, 2021, and ending June 30, 2023.

1 **SECTION 3. APPROPRIATION - 2019-21 BIENNIUM - DEPARTMENT OF HUMAN**

2 **SERVICES - FIRE PROTECTION AGREEMENTS - EXEMPTION.** There is appropriated out of
3 any moneys in the department of human services operating fund in the state treasury, not
4 otherwise appropriated, the sum of \$333,333, or so much of the sum as may be necessary, to
5 the department of human services for the purpose of providing a grant to a political subdivision
6 for the state share of costs relating to the purchase of a fire truck, for the period beginning with
7 the effective date of this Act and ending June 30, 2021. The funding appropriated in this section
8 is a one-time funding item. The requirements of chapter 54-44.4 do not apply to the selection of
9 a grant recipient, the grant award, or payments made under this section. The department of
10 human services shall discontinue any agreement with a political subdivision for fire protection
11 services and may not enter any future agreement with a political subdivision for fire protection
12 services.

13 **SECTION 4. FUNDING TRANSFERS - EXEMPTION - AUTHORIZATION - REPORT.**

14 Notwithstanding section 54-16-04, the director of the office of management and budget shall
15 transfer appropriation authority between line items within subdivisions 1, 2, and 3 of section 1 of
16 this Act for the biennium beginning July 1, 2021, and ending June 30, 2023, as requested by the
17 department of human services. The department of human services shall notify the legislative
18 council of any transfer made pursuant to this section. The department shall report to the budget
19 section after June 30, 2022, any transfer made in excess of \$50,000 and to the appropriations
20 committees of the sixty-eighth legislative assembly regarding any transfers made pursuant to
21 this section.

22 **SECTION 5. FUNDING TRANSFERS - EXEMPTION - AUTHORIZATION - REPORT.**

23 Notwithstanding section 54-16-04, the director of the office of management and budget shall
24 transfer appropriation authority from line items within subdivisions 1, 2, and 3 of section 1 of this
25 Act to subdivision 4 of section 1 of this Act for the biennium beginning July 1, 2021, and ending
26 June 30, 2023, as requested by the department of human services. The department of human
27 services shall notify the legislative council of any transfer made pursuant to this section. The
28 department shall report to the budget section after June 30, 2022, any transfer made in excess
29 of \$50,000 and to the appropriations committees of the sixty-eighth legislative assembly
30 regarding any transfers made pursuant to this section.

1 **SECTION 6. FULL-TIME EQUIVALENT POSITION - AGING SERVICES.** Section 1 of this
2 Act includes one full-time equivalent position for the administration of services resulting from a
3 federal department of justice lawsuit settlement. This position is authorized only for the
4 biennium beginning July 1, 2021, and ending June 30, 2023, and may not be included in the
5 department's base budget for the biennium beginning July 1, 2023, and ending June 30, 2025.

6 **SECTION 7. ESTIMATED INCOME - HUMAN SERVICE FINANCE FUND.** The estimated
7 income line item in subdivision 4 of section 1 of this Act includes the sum of \$187,385,888 from
8 the human service finance fund for state-paid economic assistance and social and human
9 services.

10 **SECTION 8. ESTIMATED INCOME - COMMUNITY HEALTH TRUST FUND.** The estimated
11 income line item in subdivision 2 of section 1 of this Act includes the sum of \$24,000,000 from
12 the community health trust fund for defraying expenses in the medical services division.

13 **SECTION 9. ESTIMATED INCOME - HEALTH CARE TRUST FUND.** The estimated
14 income line item in subdivision 2 of section 1 of this Act includes the sum of \$1,000,000 from
15 the health care trust fund and \$1,150,538 from federal funds for nursing facility operating
16 margin adjustments.

17 **SECTION 10. CAPITAL PAYMENTS.** During the biennium beginning July 1, 2021, and
18 ending June 30, 2023, the department of human services is authorized to expend funds for the
19 payment of special assessments at the state hospital and life skills and transition center.

20 **SECTION 11. STATE HOSPITAL - CAPITAL PROJECTS - EMERGENCY COMMISSION**
21 **APPROVAL.** During the biennium beginning July 1, 2021, and ending June 30, 2023, the
22 department of human services is authorized to proceed with the demolition of the chapel and
23 employee building and associated tunnels at the state hospital. Pursuant to section 4 of this Act,
24 the director of the office of management and budget may transfer appropriation authority
25 between line items within subdivisions 1, 2, and 3 of section 1 of this Act. The department may
26 transfer funds for the demolition of the identified buildings and associated tunnels and for
27 emergency capital projects. Notwithstanding section 54-27-12, the department of human
28 services may spend up to \$5,000,000 for emergency projects under this section and may seek
29 emergency commission approval to spend more than \$5,000,000 under this section.

30 **SECTION 12. EXPENDITURES MAY NOT EXCEED APPROPRIATION - MEDICAL**
31 **ASSISTANCE EXPANSION PROGRAM - APPLICATION.**

- 1 1. Subdivision 2 of section 1 of this Act includes the sum of \$703,317,464, of which
2 \$80,934,488 is from the general fund, for the medical assistance expansion program
3 for the biennium beginning July 1, 2021, and ending June 30, 2023. The expenditures
4 for individuals eligible for the medical assistance expansion program may not exceed
5 this amount. For purposes of this section:
 - 6 a. Expenditures do not include those made for individuals identified as medically
7 frail and who receive services through the traditional Medicaid program
8 administered by the department of human services for which there is a separate
9 appropriation of \$10,184,568 included in subdivision 2 of section 1 of this Act.
 - 10 b. Expenditures do not include prescription drugs for the medical assistance
11 expansion program population which is administered by the department of
12 human services through its fee-for-service Medicaid program for which there is a
13 separate appropriation of \$29,460,720 included in subdivision 2 of section 1 of
14 this Act.
 - 15 c. Expenditures do not include coverage for individuals ages nineteen and twenty
16 for the medical assistance expansion program population which is administered
17 by the department of human services through its fee-for-service Medicaid
18 program for which there is a separate appropriation of \$12,705,466 included in
19 subdivision 2 of section 1 of this Act.
- 20 2. The department of human services may exceed appropriations for increases in
21 medical assistance expansion program caseload and for the addition of coverage
22 consistent with the traditional Medicaid 1915i state plan.
- 23 3. The managed care organization under contract with the department to manage the
24 medical assistance expansion program shall reimburse providers within the same
25 provider type and specialty at consistent levels and with consistent methodology and
26 may not provide incentive, quality, or supplemental payments to providers, unless part
27 of a value-based program approved by the department. The managed care
28 organization may consider urban and rural providers as different provider types.
29 Critical access hospitals may not be paid less than one hundred percent of Medicare
30 allowable costs.

- 1 4. The managed care organization and the department of human services shall ensure
2 payments to Indian or Tribal 638 health care providers, federally qualified health
3 centers, and rural health clinics meet the federally required minimum levels of
4 reimbursement.
- 5 5. The department of human services shall ensure providers within the same provider
6 type and specialty are reimbursed at consistent levels and with consistent
7 methodology and shall ensure the capitation rates under risk contracts are actuarially
8 sound and are adequate to meet managed care organization contractual requirements
9 regarding availability of services, assurance of adequate capacity and services, and
10 coordination and continuity of care.
- 11 6. The department of human services and the Medicaid expansion managed care
12 organization shall ensure the appropriate contract amendment is adopted for coverage
13 through December 31, 2021. The contract amendment shall stay within the
14 appropriation and the requirements of chapter 54-44.4 do not apply.

15 **SECTION 13. EXPENDITURES MAY NOT EXCEED APPROPRIATION - NURSING HOME**
16 **RATES.** Subdivision 2 of section 1 of this Act includes the sum of \$621,362,568, of which
17 \$288,313,216 is from the general fund, for nursing home payments for the biennium beginning
18 July 1, 2021, and ending June 30, 2023. The expenditures for nursing homes may not exceed
19 this amount.

20 **SECTION 14.** A new section to chapter 50-06 of the North Dakota Century Code is created
21 and enacted as follows:

22 **Substance use disorder treatment voucher system grants.**

- 23 1. A licensed substance abuse treatment program, excluding regional human service
24 centers and hospital or medical clinic-based programs for medical management of
25 withdrawal, may apply for a competitive substance use disorder treatment voucher
26 system grant. A licensed substance abuse treatment program is eligible for a one-time
27 grant award. To receive a grant, a licensed substance abuse treatment program shall:
 - 28 a. Submit an application in the form and manner prescribed by the department;
 - 29 b. Enter a grant agreement with the department;

- 1 c. Use grant funds for a licensed substance abuse treatment program with fewer
- 2 than seventeen beds in an underserved area, as determined by the department,
- 3 in the state's substance abuse treatment system;
- 4 d. Use the grant funds to support the provision of substance use disorder treatment
- 5 in underserved areas of the state's substance abuse treatment system;
- 6 e. Provide and disclose information needed to comply with the department's data
- 7 collection requirements; and
- 8 f. Operate in compliance with grant requirements.
- 9 2. The department, within legislative appropriations, may distribute up to three grants
- 10 under this section to licensed substance abuse treatment programs.
- 11 3. The department may recapture grant funds distributed to a licensed program found by
- 12 the department to be out of compliance with the requirements established by the grant
- 13 program, including ending or reducing the operation of the substance use disorder
- 14 treatment services in the underserved area.
- 15 4. The department may not collect property, equipment, or supplies purchased with grant
- 16 funds from the licensed substance abuse treatment program after successful
- 17 completion of the terms of the grant.
- 18 5. The grant term must be for five years.

19 **SECTION 15. AMENDMENT.** Section 50-06-42 of the North Dakota Century Code is
20 amended and reenacted as follows:

21 **50-06-42. Substance use disorder treatment voucher system.**

- 22 1. The department shall establish and administer, within the limits of legislative
- 23 appropriations, a voucher system to address underserved areas and gaps in the
- 24 state's substance abuse treatment system and to assist in the payment of addiction
- 25 treatment services provided by licensed substance abuse treatment programs,
- 26 excluding regional human service centers, and hospital- or medical clinic-based
- 27 programs for medical management of withdrawal. Services eligible for the voucher
- 28 program include only those levels of care recognized by the American society of
- 29 addiction medicine, with particular emphasis given to underserved areas and
- 30 programs. The department shall ensure that a licensed substance abuse treatment
- 31 program, hospital, and medical clinic program accepting vouchers collects and reports

1 process and outcome measures. The department shall develop requirements and
2 provide training and technical assistance to a licensed substance abuse treatment
3 program, hospital, and medical clinic program accepting vouchers. A licensed
4 substance abuse treatment program, hospital, and medical clinic program accepting
5 vouchers shall provide evidence-based services.

6 2. The department shall allocate funding appropriated for the substance use disorder
7 treatment voucher as follows:

8 a. No more than thirty percent of the appropriated amount may be allocated for
9 residential substance use disorder services administered by licensed substance
10 abuse treatment programs with more than sixteen beds.

11 b. The remaining appropriation must be allocated for nonresidential outpatient and
12 ancillary substance use disorder services administered by licensed substance
13 abuse treatment programs.

14 **SECTION 16. AMENDMENT.** Section 50-24.1-37 of the North Dakota Century Code is
15 amended and reenacted as follows:

16 **50-24.1-37. Medicaid expansion - Legislative management report. (Effective through**
17 **July 31, ~~2024~~2023 - Contingent repeal - [See note](#))**

18 1. The department of human services shall expand medical assistance coverage as
19 authorized by the federal Patient Protection and Affordable Care Act [Pub. L. 111-148],
20 as amended by the Health Care and Education Reconciliation Act of 2010
21 [Pub. L. 111-152] to individuals under sixty-five years of age with income below one
22 hundred thirty-eight percent of the federal poverty line published by the federal office
23 of management and budget applicable to the household size.

24 2. The department shall inform new enrollees in the medical assistance expansion
25 program that benefits may be reduced or eliminated if federal participation decreases
26 or is eliminated.

27 3. Except for pharmacy services, the department shall implement the expansion by
28 bidding through private carriers or utilizing the health insurance exchange.

29 4. The contract between the department and the private carrier must provide the
30 department with full access to provider reimbursement rates. The department shall
31 consider provider reimbursement rate information in selecting a private carrier under

1 this section. Before August first of each even-numbered year, the department shall
2 submit a report to the legislative management regarding provider reimbursement rates
3 under the medical assistance expansion program. This report may provide cumulative
4 data and trend data but may not disclose identifiable provider reimbursement rates.

5 5. Provider reimbursement rate information received by the department under this
6 section is confidential, except the department may use the reimbursement rate
7 information to prepare the report to the legislative management as required under this
8 section.

9 **SECTION 17. AMENDMENT.** Section 50-24.1-37 of the North Dakota Century Code is
10 amended and reenacted as follows:

11 **50-24.1-37. Medicaid expansion - Legislative management report. (Effective through**
12 **July 31, 2023 - Contingent repeal - [See note](#))**

13 1. The department of human services shall expand medical assistance coverage as
14 authorized by the federal Patient Protection and Affordable Care Act [Pub. L. 111-148],
15 as amended by the Health Care and Education Reconciliation Act of 2010
16 [Pub. L. 111-152] to individuals under sixty-five years of age with income below one
17 hundred thirty-eight percent of the federal poverty line published by the federal office
18 of management and budget applicable to the household size.

19 2. The department shall inform new enrollees in the medical assistance expansion
20 program that benefits may be reduced or eliminated if federal participation decreases
21 or is eliminated.

22 3. Except for pharmacy services and coverages for individuals ages nineteen and twenty,
23 the department shall implement the expansion by bidding through private carriers or
24 utilizing the health insurance exchange.

25 4. The contract between the department and the private carrier must provide the
26 department with full access to provider reimbursement rates. The department shall
27 consider provider reimbursement rate information in selecting a private carrier under
28 this section. Before August first of each even-numbered year, the department shall
29 submit a report to the legislative management regarding provider reimbursement rates
30 under the medical assistance expansion program. ~~This report may provide cumulative~~
31 ~~data and trend data but may not disclose identifiable provider reimbursement rates.~~

1 5. ~~Provider reimbursement rate information received by the department under this-~~
2 ~~section is confidential, except the department may use the reimbursement rate-~~
3 ~~information to prepare the report to the legislative management as required under this-~~
4 ~~section.~~

5 **SECTION 18. REPEAL.** Section 50-24.1-18.1 of the North Dakota Century Code is
6 repealed.

7 **SECTION 19. CONVEYANCE OF LAND AUTHORIZED - LIFE SKILLS AND TRANSITION**
8 **CENTER.** The state of North Dakota, by and through the department of human services, may
9 convey real property associated with the life skills and transition center in Grafton to the Grafton
10 parks and recreation department. The department of human services may convey a portion of
11 two parcels of land commonly referred to as "the bowl" on the terms and conditions determined
12 appropriate by the department and the attorney general. Sections 54-01-05.2 and 54-01-05.5
13 do not apply to this conveyance.

14 **SECTION 20. LEASE OF LAND - STATE HOSPITAL.** The department of human services
15 and national guard may enter an agreement to lease up to twenty acres of real property
16 associated with the state hospital for the national guard to construct a new training and storage
17 facility.

18 **SECTION 21. PROVIDER PROCESS AND OUTCOME MEASURES.** Providers that
19 receive funding from the department of human services shall submit process and outcome
20 measures, as required by the department, to the department of human services for programs
21 and services supported by state funding during the biennium beginning July 1, 2021, and
22 ending June 30, 2023.

23 **SECTION 22. IN-HOME SUPPORT SERVICES - DEVELOPMENTAL DISABILITIES**
24 **WAIVER.** The department of human services shall add in-home support services to the
25 appendix K application submitted by the department to the centers for Medicare and Medicaid
26 services for the developmental disability services waiver for the COVID-19 emergency. Funding
27 for in-home support services under the appendix K application may not exceed \$250,000 during
28 the COVID-19 emergency.

29 **SECTION 23. QUALIFIED RESIDENTIAL TREATMENT PROVIDERS.** The department of
30 human services shall adopt rules, on or before October 1, 2021, establishing a new ratesetting

1 process and requirements for foster care maintenance rates for qualified residential treatment
2 providers based on the appropriation approved by the sixty-seventh legislative assembly.

3 **SECTION 24. COMMUNITY BEHAVIORAL HEALTH PROGRAM.** Pursuant to section 4 of
4 this Act, the director of the office of management and budget may transfer appropriation
5 authority between line items within subdivisions 1, 2, and 3 of section 1 of this Act for the
6 biennium beginning July 1, 2021, and ending June 30, 2023, as requested by the department of
7 human services. The department may transfer funds for the continuation of the community
8 behavioral health program pursuant to subsection 2 of section 54-23.3-10.

9 **SECTION 25. EXEMPTION.** The amount appropriated for the Medicaid management
10 information system technology stack upgrade in chapter 37 of the 2019 Session Laws is not
11 subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation
12 are available for the completion of the Medicaid management information system technology
13 stack upgrade during the biennium beginning July 1, 2021, and ending June 30, 2023.

14 **SECTION 26. EXEMPTION.** The amount appropriated for the modification of the
15 department of human services' eligibility systems in chapter 578 of the 2011 Special Session
16 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from
17 this appropriation approved under section 54-44.1-11 for continuation into the 2013-15
18 biennium, then the 2015-17 biennium, then the 2017-19 biennium, and then the 2019-21
19 biennium are available for the completion of the modification of the eligibility systems project
20 during the biennium beginning July 1, 2021, and ending June 30, 2023.

21 **SECTION 27. EXEMPTION.** The amount appropriated for the development of the child care
22 licensing and data system in chapter 11 of the 2017 Session Laws is not subject to the
23 provisions of section 54-44.1-11. Any unexpended funds from this appropriation approved under
24 section 54-44.1-11 for continuation into the 2019-21 biennium are available for the completion of
25 the child care licensing and data system during the biennium beginning July 1, 2021, and
26 ending June 30, 2023.

27 **SECTION 28. EXEMPTION.** The amount appropriated for the development of the health
28 information network in chapter 11 of the 2017 Session Laws is not subject to the provisions of
29 section 54-44.1-11. Any unexpended funds from this appropriation approved under section
30 54-44.1-11 for continuation into the 2019-21 biennium are available for the completion of the

1 health information network during the biennium beginning July 1, 2021, and ending June 30,
2 2023.

3 **SECTION 29. EXEMPTION.** The sum of \$200,000 from the general fund appropriated for
4 the department's operating expenses for the school behavioral health program in chapter 37 of
5 the 2019 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended
6 funds from this appropriation are available for the completion of the school behavioral health
7 pilot projects during the biennium beginning July 1, 2021, and ending June 30, 2023.

8 **SECTION 30. EXEMPTION.** The sum of \$150,000 from the general fund appropriated for
9 the department's operating expenses for behavioral health recovery home grants in chapter 37
10 of the 2019 Session Laws is not subject to the provisions of section 54-44.1-11. Any
11 unexpended funds from this appropriation may be used for behavioral health recovery home
12 grants during the biennium beginning July 1, 2021, and ending June 30, 2023.

13 **SECTION 31. LEGISLATIVE INTENT - DEVELOPMENTAL DISABILITY RATES.** The
14 appropriation in section 1 of this Act includes adjustments to reimbursement rates for
15 developmental disability service providers. It is the intent of the sixty-seventh legislative
16 assembly that the department of human services seek a deficiency appropriation from the
17 sixty-eighth legislative assembly if funding provided for developmental disability provider
18 payments is not sufficient to pay actual expenses.

19 **SECTION 32. STATE HOSPITAL TREATMENT CAMPUS - REPORT TO LEGISLATIVE**
20 **MANAGEMENT.** During the 2021-22 interim, the department of human services, with the
21 assistance of the state hospital's governing body, stakeholders, members of the legislative
22 assembly, and consultants, shall conduct a study and prepare a report. The report must provide
23 a cost-benefit analysis and available options and address the feasibility and desirability of
24 closing the state hospital, renovating the state hospital, or building a new treatment campus to
25 meet the health care needs of the state. Before October 1, 2022, the department of human
26 services shall provide a report to the legislative management regarding the results of the study.
27 Subdivision 3 of section 1 of this Act includes the sum of \$300,000 for the purpose of
28 contracting with a consultant to assist in the report and recommendation.

29 **SECTION 33. BEHAVIORAL HEALTH SERVICES - REPORT TO LEGISLATIVE**
30 **MANAGEMENT.** During the 2021-22 interim, the department of human services shall study the
31 feasibility and desirability of implementing behavioral health services for the medical assistance

1 expansion program through an administrative services organization. Subdivision 2 of section 1
2 of this Act includes the sum of \$300,000 for the purpose of contracting with a consultant to
3 assist in the study and to develop a plan to implement behavioral health services for the
4 medical assistance expansion program through an administrative services organization. The
5 department of human services shall provide reports to the legislative management regarding
6 the status and results of the study.

7 **SECTION 34. EFFECTIVE DATE.** Section 17 of this Act becomes effective January 1,
8 2022.

9 **SECTION 35. EXPIRATION DATE.** Section 14 of this Act is effective through July 1, 2027,
10 and after that date is ineffective.

11 **SECTION 36. EMERGENCY.** Section 3 of this Act is declared to be an emergency
12 measure.