

HB 1035
Senate Judiciary Committee
Testimony of the ND Behavioral Health Planning Council
March 23, 2021

Chair Larson and members of the Committee, I'm Emma Quinn, Vice Chair of the Behavioral Health Planning Council. The Council is a federally mandated body operating out of the ND Department of Human Services/Behavioral Health Division. The Council is made up of 30 diverse members including consumers, family members, and other stakeholders. In addition, North Dakota Behavioral Health Planning Council serves as the oversight committee to support system transformation based on the 2018 HSRI North Dakota Behavioral Health Systems Study's recommendations.

The Council supports HB 1035. Roughly 10% of all children in North Dakota have a serious emotional disturbance (SED). As of 2019, this translates to roughly 19,000 children. We are currently serving only 1 out of every 19 children who have a serious emotional disturbance. As a result of not having access to care, many children are being sent into the juvenile justice system. From 2011 to 2017, the number of children in juvenile corrections who had a serious emotional disturbance rose from 49% to 79%. Although there have been improvements, children with serious emotional disturbance still represent most children in the corrections system despite only accounting for 10% of all children in North Dakota.

HB 1035 would create a new legal category “Children in Need of Services” (CHINS), which would include children and youth who are engage in truancy, runaways, and incorrigible behaviors. Those children and youth would no longer be under the jurisdiction of the Juvenile Court and can no longer be arrested or referred to court. Instead, the Human Service Zones and the Department of Human Services would be providing community-based services. The Behavioral Health Planning Council believes children and youth with serious emotional disturbance need a fully functioning behavioral health system with a wide range of community-based supports and services. We applaud this bill as it will refer children with serious emotional disturbance to the Human Services Zones to gain access to the community-based services that these children desperately need.

Please support HB 1035. Thank you.