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Dorinda G. [Signature]
Operator's Signature

10/2/03
Date

2003 HOUSE HUMAN SERVICES

HB 1164

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Diana Ballantyne
Operator's Signature

10/2/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1164

House Human Services Committee

Conference Committee

Hearing Date January 15, 2003

Tape Number	Side A	Side B	Meter #
1	x		17.7 - 58.8
1		x	0.0 - 7.4
Committee Clerk Signature <i>Sharon Lenjan</i>			

Minutes:

Linda Wright, Director of the Aging Services Division, Dept. of Human Services appeared in support with written testimony and also submitted an amendment.

Questions of the committee if all the registered facilities were aware of what has been going on, if they are all aware of these 2 bills and if they were all in agreement, a time limit for approval and what that time limit is. If there were 2 fees, one with Dept. of Human Services and one with the Dept. of Health for food and fire safety, if these were license fees or registration fees and what the difference is.

Darlene Bartz with the Dept. of Health appeared to answer questions on the Basic Care Facilities and stated that they license them and try to get out to inspect them twice a year with no fee.

Rep. Porter had concerns with the powers and duties of the dept. and how they would enforce if nothing is set up (an inspection process). Also why we are charging a \$75.00 fee for just a piece of paper when they are not getting an inspection or any other services for a fee. It was noted that

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Dorinda Hall
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House Human Services Committee
Bill/Resolution Number HB 1164
Hearing Date January 15, 2003

the Ombudsman are there to let the residents or tenants know what their rights are and responding to complaints and have a regular presence in the facility.

David Skolsky of the Dept. of Human Services appeared to answer questions of the committee as Linda had to leave.

Concerns of the committee on the \$2500.00 fee, the difference between inspections for basic care and for assisted living and why would you need a fee for assisted living and not basic care.

Committee requested a comparison of the different licenses and inspections for nursing homes, basic care and assisted living and the fees charged. (Received from Shelly Peterson)

Nancy Andrews, Administrator of Wheatland Terrace appeared in support with written testimony.

Rep. Pollert had questions on explanation of Home Health License and if for people not only within the facility but for people who go out to do home base care. (Answer was only within their facility)

Penni Weston, Administrator of Edgewood Vista in Bismarck appeared in support with written testimony.

Rep. Porter has a problem or concern with home care services rendered portion and why is there a conflict in policy.

Rep. Price wanted clarification on individual support services and if that is provided by Home Health or by whomever they select. (It was noted by Ms. Weston that they offer those services within their facility and also charge for those additional services, but they can move in and rent an apt. from them and select a home care agency to come in and provide those services) Her

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Deanna Gellert
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Bill/Resolution Number HB 1164
Hearing Date January 15, 2003

office works with them to select someone if needed. Also noting that all people in her facility are certified in nursing as we require that.

Question by the committee is - why should they be exempted when those are the very services that we're talking about in a nursing home.

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1/2/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1164

House Human Services Committee

Conference Committee

Hearing Date January 20, 2003

Tape Number	Side A	Side B	Meter #
2		x	21.8 - 34.0
Committee Clerk Signature <i>Sharon Kenyon</i>			

Shelly Peterson of the ND Long Term Care Assoc. appeared and handed out a Comparison on the Assisted Living, Basic Care and Nursing Facilities and explained the amendments on Assisted Living. She suggested not to accept the amendments presented by Linda Wright. The Health Dept. and Human Services agreed to the language within the bill, at the hearing last week, the Health Dept. stated they hadn't received the amendment and were not supportive of the amendment and as the amendment reads it would require every assisted living facility to get a home health license. So do not accept the amendments as the two State entities regulating them are saying something different and need to get worked out with them.

Rep. Price noted that if the services were contracted with the facility, then the nurse practice act would apply.

Rep. Devlin moved the part of the amendment to make it clear that the DD facilities do not fall under the definition of assisted living facilities, second by Porter. 13 - 0 - 0

Rep. Devlin moved a DP as Amended, second by Rep. Pollert. 13 - 0 - 0, Rep. Pollert to carry.

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Dorinda Bell
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1/21/03
Date

FISCAL NOTE
 Requested by Legislative Council
 01/03/2003

Bill/Resolution No.: HB 1164

1A. **State fiscal effect:** Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

1B. **County, city, and school district fiscal effect:** Identify the fiscal effect on the appropriate political subdivision.

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. **Narrative:** Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.

The bill relates to the licensing of assisted living facilities. The Department is currently performing the functions and this bill will not have a fiscal impact.

3. **State fiscal effect detail:** For information shown under state fiscal effect in 1A, please:

A. **Revenues:** Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.

B. **Expenditures:** Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.

C. **Appropriations:** Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

Name:	Brenda M. Weisz	Agency:	Human Services
Phone Number:	328-2397	Date Prepared:	01/10/2003

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Donna Ball...
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1/12/03
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