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ROLL NUMBER

DESCRIPTION

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Demetrius Halliwell
Operator's Signature

10/3/03
Date

2003 HOUSE HUMAN SERVICES

HB 1400

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Deanna Hall
Operator's Signature

10/3/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1400
HOUSE HUMAN SERVICES COMMITTEE

Conference Committee

Hearing Date 1-28-03

Tape Number	Side A	Side B	Meter #
1		x	23.5-61.4
Committee Clerk Signature <i>Sharon Simpson</i>			

Minutes: Chairman Price: called the hearing to order on HB 1400. All committee members were present.

Representative Devlin: appeared in support of HB 1400 and also was the prime sponsor.

(SEE ATTACHED TESTIMONY).

Representative Bercier: appeared in support of HB 1400. This has been a long standing issue for the tribes. I'm here before you today to echo the tribal communities, long term care facilities for our elders were our homes, we took care of our elders, unfortunately their are families that are not able to care for their elders, there are health issues out there. We didn't put our elders in homes and send them off 100 miles. This is probably not the best solution for tribal people it is something that will help us in our home areas. There are a couple of amendments that will be coming forward from the minority leader.

Shelly Peterson, President, North Dakota Long Term Care Association: appeared in support of HB 1400. **(SEE ATTACHED TESTIMONY).**

Representative Price: Where are we ranked in the nation?

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Dennis Hall
Operator's Signature

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Date

Page 2.
House Human Services Committee
Bill/Resolution Number HB 1400
Hearing Date 1-28-03

Shelly Peterson: We don't have that data.

Representative Kreidt: Is there a set price for beds?

Shelly Peterson: under the bed buy out program you will get \$15,000 a bed, if you remove 8 or more beds you would receive up to \$12,000 and under 8 beds a facility could buy around \$8,000 or below. Price will go down considerably.

David Zentner, Director, Medical Services for Dept. of Human Services: appeared in support of HB 1400 and provided written testimony. **(SEE ATTACHED TESTIMONY).**

Representative Amerman: If facility sells the bed can they later on down the road buy another bed back for the one they sold?

Shelly Peterson: no they cannot, they would have to go to that facility and say, can you please sell me our bed back? They can go to another facility and see if they will sell you a bed.

Representative Devlin: will department serve as a clearing house for Beds?

David Zentner: probably not.

Doreen Bartz, Health Department: appeared in favor of HB 1400.

Tom Disselhorst, Attorney for the Three Affiliated Tribes: appeared for and presented written testimony for Tex Hall. **(SEE ATTACHED TESTIMONY).**

Hearing was closed.

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Doreen Bartz
Operator's Signature

10/3/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1400

House Human Services Committee

Conference Committee

Hearing Date February 3, 2003

Tape Number	Side A	Side B	Meter #
2	x		0.7 - 14.1
Committee Clerk Signature <i>Sharon Pennington</i>			

Minutes: Shelly Peterson was asked to address the committee and give explanation of the sale of beds. We send out information to everyone that someone has a bed for sale and if interested to contact them directly. We don't get involved in the actual contract. Doesn't feel we should put that in that in as a statute. We will continue to send out information regarding sale of beds and information as we have always done. She recommends that the committee not accept the second part of the amendment.

Rep. Price and Shelly Peterson noted that the basic problem with the Tribes was that they just weren't ready and were not able to come through with the money. The tribes also indicated that 24 months was a problem.

Shelly Peterson addressed the issue of raising the years to 2007. Right now under the law, once a bed is sold to another entity, it has 24 months to be put into service. Because you have renovation or in the Tribes case, you'd have to build a facility. Changing it to 2007, would take it out of the 4 year, this would allow rather than a 24 month period to put a bed into a service

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Dorinda Hall Smith
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10/3/03
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Page 2
House Human Services Committee
Bill/Resolution Number HB 1400
Hearing Date February 3, 2003

after you've purchased it, would give you 48 months, which give you more than adequate time for renovation or construction or if you were in the process of trying to accumulate a number of beds and didn't want to start until you had a certain _____.

Rep. Amerman: There isn't anything that says you have to get rid of unused beds, is there? No

Rep. Devlin moves amendment to make the date change from 2005 to 2007 and take out both paragraphs, second by Rep. Kreidt.

Rep. Niemeier asked about who the other interested entity would be? Answer: whoever is interested, a consulting firm could come in and would charge for their services, that would make the beds even higher.

Rep. Devlin feels that the Tribes real concerns were being addressed, one was the date change to 48 months and the other thing that the bill originally did was that before you could sell a bed, you had to give up another one. The Tribes really didn't like that at all and though it would make beds more difficult to get and more expensive. So we are giving them that.

Rep. Kreidt noted that the Tribes did hire someone to come in and negotiate for them in getting beds.

Motion passed on Amendment.

Rep. Kreidt moved a DO PASS as AMENDED, second by Rep. Potter. 12 - 0 - 1.

Rep. Kreidt will carry the bill.

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Deanna Hall
Operator's Signature

10/3/03
Date

FISCAL NOTE
 Requested by Legislative Council
 03/06/2003

Amendment to: HB 1400

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.*

This bill would continue the moratorium on basic care bed capacity and long-term care bed capacity. It would also allow long-term care facilities and basic care facilities to bank beds up to 48 months from date of transfer. For each bed transferred, one must be reduced. Additionally, transfers between basic care capacity and long-term care capacity may occur not more than once in a twelve-month period. No fiscal impact is contemplated with this bill.

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:	Debra A. McDermott	Agency:	Human Services
Phone Number:	328-3695	Date Prepared:	03/07/2003

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Debra A. McDermott
 Operator's Signature

10/3/03
 Date

FISCAL NOTE
 Requested by Legislative Council
 01/21/2003

Bill/Resolution No.: HB 1400

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.

This bill would continue the moratorium on basic care bed capacity and long-term care bed capacity. It would also allow long-term care facilities and basic care facilities to bank beds up to 24 months from date of transfer. For each bed transferred, one must be reduced. Additionally, transfers between basic care capacity and long-term care capacity may occur not more than once in a twelve-month period. No fiscal impact is contemplated with this bill.

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 Welsz	Agency:	Human Services
Phone Number:	328-2397	Date Prepared:	01/23/2003

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Brenda Welsz
 Operator's Signature

01/23/03
 Date

