

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2070

2007 SENATE HUMAN SERVICES

SB 2070

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2070

Senate Human Services Committee

Check here for Conference Committee

Hearing Date: 1-08-07

Recorder Job Number: 731

Committee Clerk Signature

Mary K Monson

Minutes:

Senator J. Lee, Chairman opened the hearing on SB 2070 relating to application by the department of human services for federal funds for the implementation of an aging and disability resource center.

Kermit Lidstrom, representing the AARP, spoke in favor of SB 2070. This is an important step in terms of getting a center that would allow people to have a single area for services of needs when they have troubles in their family.

Senator J. Lee said she was a supporter of the concept of single point of information, but just trying to figure out how to make it work. If there is going to be one place having all the information about all the services available to anybody anywhere in ND, who is that person going to be? How do we keep it current? Maybe a regional point of entry needs to be the answer.

Mr. Lidstrom replied they like the model in the state of Washington. It is not a place, really a computer for a person who is trained to use it. It can be a regional person and has within their capacity the opportunity to determine the financial needs and the financial availabilities and all the other services available and provide the kind of guidance that goes with that kind of program. Some form of that model could be a possibility. Why they like this program is it will

take a chance to look at some of those models and see if they can find a program that might be regionalized. ND is unique and needs to find its own style. When a family has a crisis, it would be easier if only one number had to be called to find the services needed.

Senator J. Lee recognizes the need and supports the concept. How is the computer person going to find the people needed in all situations?

Mr. Lidstrom said it isn't going to be easy and it is going to have some flaws.

Senator Warner asked if it is anticipated that AARP may respond to a request for proposal and ask to be the vendor of this.

Mr. Lidstrom answered no they wouldn't want to be the vendor.

Linda Wright, Director of the Aging Services Division, Dept. of Human Services. See attached testimony in support of SB 2070.

Senator J. Lee asked if the MMIS system would be the system that would support this.

Ms. Wright replied that in other states they certainly have a connection with the MMIS system, either as a part of it or it is connected to it.

Senator Dever asked if the application has been submitted.

Ms. Wright said that because the funding is tied up in Congress they have not made the opportunity available yet for the ADRC funding for new states.

There was discussion on the need for a fiscal note on this bill.

Amy Armstrong, NDCPD, presented testimony in favor of SB 2070 (attached). She also left one copy each of three survey reports for the record.

Senator Warner asked if they anticipate the 24/7 availability would be a real person and real location or if it will be a virtual reality mostly computer based system.

Ms. Armstrong said that other states each have their own way of implementing an Aging and Disability Resource Center. She feels that ND would as well use what can be learned from all

of the other 43 states that have implemented it. In connection with the 24/7 availability, some states provide more of a virtual approach where others provide an office with people in it. That doesn't mean the office is open 24/7 but they have a process in place that if somebody calls a number someone is there to answer the number and can help. Some states provide a backup where, in a crisis situation after hours, they can call and get that crisis care in place for a short period of time. Then they can go back and have a counselor type of person help them develop their care plan and make sure they are in the best setting for services appropriate for them.

Senator J. Lee asked for a sample of the questions used in their survey.

Ms. Armstrong used the consumer questionnaire that was sent out. It was sent out to two providers who disseminated it to consumers for them because of confidentiality reasons.

There short answer questions and just checking off the answer as well.

James Moench, Executive Director of the NDDAC, appeared in support of SB 2070. See attached testimony.

Bruce Murry, Protection and Advocacy Project, testified in opposition of SB 2070 because of its current framework. See attached testimony.

Kathy Hogan spoke in a neutral position. This has potential to be a good first step. Her concern was that if you have a great single point of entry or information and have no services to provide you are building a garage with no vehicles in it. Without looking at the availability and accessibility of home and community based alternative services you can have a very beautiful garage. Over the last 2-4 years there's been an erosion of home and community based services in ND. The county director's association has a position statement that she said she would provide for the committee. Her concern was that you can have a wonderful single point of entry, 24 access, but, if you have no services then you only have a garage.

Senator J. Lee responded that the challenge is in the more rural areas of ND.

Ms. Hogan said that in Cass County they have a role model program called Community of Care. The problem is with the reimbursement. Funding for home and community based services needs to go in conjunction with an Aged and Disabled Resource Center.

The hearing on SB 2070 was closed.

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2070

Senate Human Services Committee

Check here for Conference Committee

Hearing Date: 1-17-07

Recorder Job Number: 1269

Committee Clerk Signature

Mary K Monson

Minutes:

Senator J. Lee opened SB 2070 for discussion on the amendment proposed by Bruce Murry. His amendment added the word "unbiased" on page 1, line 10, and added the words "without conflict of interest" at the end of the sentence on line 14.

Senator Warner felt those amendments were relevant and pertinent.

Senator Warner moved to accept the amendment by Mr. Murry. Seconded by Senator Dever.

Roll call vote 6-0-0. Passed.

Senator Warner moved a Do Pass as amended and be rereferred to Appropriations.

Seconded by Senator Dever.

Roll call vote 6-0-0. Passed. Floor carrier is Senator Dever.

FISCAL NOTE
Requested by Legislative Council
03/28/2007

Amendment to: Reengrossed
SB 2070

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.*

	2005-2007 Biennium		2007-2009 Biennium		2009-2011 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$533,333	\$0	\$266,667
Expenditures	\$0	\$0	\$26,667	\$533,333	\$13,333	\$266,667
Appropriations	\$0	\$0	\$0	\$0	\$13,333	\$266,667

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

2005-2007 Biennium			2007-2009 Biennium			2009-2011 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill appropriates \$40,000 from the general fund and \$800,000 of federal funds to the Department for the implementation of an aging and disability resource center.

B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

The fiscal impact is based on the Department receiving the maximum federal award of \$800,000. This would require a 5% match of \$40,000. Two-thirds of the award and required match would be in the 2007-2009 biennium and one-third of the award and required match would be in the 2009-2011 biennium.

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.*

The revenue projection is based on the Department receiving \$533,333 of the grant award during the 2007-09 biennium and the remaining \$266,667 of the grant during the 2009-11 biennium.

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.*

The expenditure projection is based on the Department spending \$533,333 of the grant award plus matching funds of \$26,667 during the 2007-09 biennium and the remaining \$266,667 of the grant and \$13,333 of matching funds during the 2009-11 biennium.

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

The bill contains an appropriation to the Department for the total amount of the grant and matching funds. These amounts were not included in the Executive Budget Recommendation.

Name:	Brenda M. Weisz	Agency:	DHS
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Phone Number: 328-2397

Date Prepared: 03/28/2007

FISCAL NOTE
Requested by Legislative Council
03/15/2007

Amendment to: Reengrossed
SB 2070

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.*

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Appropriations	\$0	\$0	\$0	\$0	\$13,333	\$266,667

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

2005-2007 Biennium			2007-2009 Biennium			2009-2011 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
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Name:	Brenda M. Weisz	Agency:	DHS
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Phone Number: 328-2397

Date Prepared: 03/15/2007

FISCAL NOTE
 Requested by Legislative Council
 02/15/2007

Amendment to: Engrossed
 SB 2070

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.*

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Name:	Brenda M. Weisz	Agency:	DHS
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Phone Number: 328-2397

Date Prepared: 02/15/2007

FISCAL NOTE
Requested by Legislative Council
01/08/2007

Bill/Resolution No.: SB 2070

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.*

	2005-2007 Biennium		2007-2009 Biennium		2009-2011 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
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\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

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Name:	Brenda M. Wesiz	Agency:	DHS
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Phone Number: 328-2397

Date Prepared: 01/10/2007

Date: 1-17-07

Roll Call Vote #: 1

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. SB2070

Senate HUMAN SERVICES Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Accept amendment by Bruce Murray

Motion Made By Sen. Warner Seconded By Sen. Dever

Senators	Yes	No	Senators	Yes	No
Senator Judy Lee, Chairman	✓		Senator Joan Heckaman	✓	
Senator Robert Erbele, V. Chair	✓		Senator Jim Pomeroy	✓	
Senator Dick Dever	✓		Senator John M. Warner	✓	

Total (Yes) 6 No 0

Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Date: 1-17-07
Roll Call Vote #: 2

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2070

Senate HUMAN SERVICES Committee

Check here for Conference Committee

Legislative Council Amendment Number 78141.0101 Title .0200

Action Taken Do Pass as amended + refer to Appropriation

Motion Made By S.W. Seconded By S.D.

Senators	Yes	No	Senators	Yes	No
Senator Judy Lee, Chairman	✓		Senator Joan Heckaman	✓	
Senator Robert Erbele, V. Chair	✓		Senator Jim Pomeroy	✓	
Senator Dick Dever	✓		Senator John M. Warner	✓	

Total (Yes) 6 No 0

Absent 0

Floor Assignment Senator Dever

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2070: Human Services Committee (Sen. J. Lee, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2070 was placed on the Sixth order on the calendar.

Page 1, line 10, after "provide" insert "unbiased"

Page 1, line 14, after "service" insert ", which must be provided without a conflict of interest"

Renumber accordingly

2007 SENATE APPROPRIATIONS

SB 2070

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2070


Senate Appropriations Committee

Check here for Conference Committee

Hearing Date: 01/29/07

Recorder Job Number: 2152

Committee Clerk Signature



Minutes:

Chairman Holmberg opened the hearing on SB 2070.

Linda Wright, Director, Aging Services Division, DHS, presented written testimony (1) and testified in support of SB 2070. She discussed the purpose of the Aging and Disability Resource Center Programs, the federal funding that has been available and the number of people that will fit in this category. She indicated it is not the intent to duplicate or create new services but to create partnerships.

Senator Krauter asked why they waited so long to apply for funding. The response was the program was in the midst of another grant that had priority.

Amy Armstrong, District 2 and 3, Project Director, ND Real Choice Rebalancing Grants, presented written testimony (2) in support of SB 2070 discussed a summary of studies and reports related to ND aging population and people with disabilities. In addition she discussed the charts.

Bruce Murry, Lawyer, Protection and Advocacy Project, indicated he had testified against this bill in the Human Services Policy Committee because features from appendix G were not adequately reflected in the bill itself and that has now been amended and now I testify in support of SB 2070.

James Moench, Executive Director, ND Disabilities Advocacy Consortium (NDDAC), presented written testimony (3) and testified in support of SB 2070.

Senator Bowman asked that once the program is implemented, how is it funded and after federal funds are expended is it a continuing and increasing appropriation.

Linda Wright, Director, Aging Services, DHS, responded indicating that this was a sustainable fund within the account. Other states have a variety of funding sources, some form private pay others from grants.

Chairman Holmberg closed the hearing on SB 2070.

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2012 and 2070

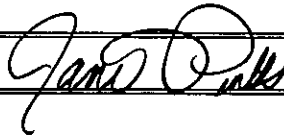
Senate Appropriations Committee

Check here for Conference Committee

Hearing Date: 02/07/07

Recorder Job Number: 3067

Committee Clerk Signature



Minutes:

Senator Fischer opened the subcommittee hearing on SB 2012

Senator Mathern discussed a suggested amendment highlighting the potential changes, a general fund expenditure to do a study of county economic assistant eligibility systems and combine the systems to fit with the state system, provide an inflationary increase to all listed except hospital systems, medical services program, medicare issue for hospitals, the long-term care area, drop the ADL charge in the Governor's budget, going to a fee for service basis, lower the eligibility providers, the respite care services, family subsidy in home support, children and family services, personal care for nursing homes, the guardianship OAR, aging services, grants to providers related to legal custody and legal services, establish goals for developmental center, the center for independent living

Additional amendments were discussed and will be brought forth in amendment form as well as additional amendments to implement budgets discussed.

The green sheet figures were discussed in some of the areas discussed.

Discussion took place on the suggested amendments, getting a list of all providers in the state.

The amendment for SB 2070 was discussed as it relates to the Aging and Disability Center.

2-7-07

Linda Wright, Director, DHS Aging Services testified about amendments recommended by Protection and Advocacy indicating in the meantime there were meetings held indicating the amendments are the compromise everyone has agreed to.

Questions were asked and responded to.

A motion and second were made to accept the amendments and present them to the committee at large. An oral vote was taken.

A motion was made for a DO PASS on the bill and amendments to be presented to the committee. A second was made. An oral vote was taken and the motion carried.

Senator Fischer closed the subcommittee hearing on SB 2012.

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2070

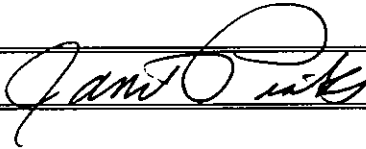
Senate Appropriations Committee

Check here for Conference Committee

Hearing Date: 02/08/07

Recorder Job Number: 3176

Committee Clerk Signature



Minutes:

Chairman Holmberg called the hearing to order on SB 2070.

Senator Fischer moved an amendment be added to 2070. **Senator Krauter** seconded.

Senator Fischer described the amendment. There was no further discussion. An oral vote was taken and the motion carried.

The Legislative Council will send the bill to the committee.

Senator Fischer moved a do pass on the bill with the amendment, **Senator Krauter** seconded. A roll call vote was taken resulting in a do pass with 14 yes, 0 no and 0 absent. **Senator Mathern** will carry the bill.

Chairman Holmberg closed the hearing on SB 2070.

JF
2-14-07

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2070

Page 1, line 14, replace "which must be provided" with ". The duties of the aging and disability resource center must include all duties required to receive federal funds, including providing information about the full range of long-term care service and support options available in the state to assure that consumers may make informed decisions about their care. The resource center must be free from a conflict of interest which would inappropriately influence or bias the actions of a contractor, staff member, board member, or volunteer of the resource center to limit the information given to a consumer to steer the consumer to services that may also be provided by the resource center"

Page 1, line 15, remove "without a conflict of interest"

Page 1, line 21, replace "biennium beginning July 1, 2007," with "period beginning with the effective date of this Act"

Renumber accordingly

Date:
Roll Call Vote #:

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2070

Senate Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken _____

Motion Made By _____ Seconded By _____

Senators	Yes	No	Senators	Yes	No
Senator Ray Holmberg, Chrm	✓		Senator Aaron Krauter	✓	
Senator Bill Bowman, V Chrm	✓		Senator Elroy N. Lindaas	✓	
Senator Tony Grindberg, V Chrm	✓		Senator Tim Mathern	✓	
Senator Randel Christmann	✓		Senator Larry J. Robinson	✓	
Senator Tom Fischer	✓		Senator Tom Seymour	✓	
Senator Ralph L. Kilzer	✓		Senator Harvey Tallackson	✓	
Senator Karen K. Krebsbach	✓				
Senator Rich Wardner	✓				

Total (Yes) 14 No -

Absent _____

Floor Assignment Mathern

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2070, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2070 was placed on the Sixth order on the calendar.

Page 1, line 14, replace "which must be provided" with "The duties of the aging and disability resource center must include all duties required to receive federal funds, including providing information about the full range of long-term care service and support options available in the state to assure that consumers may make informed decisions about their care. The resource center must be free from a conflict of interest which would inappropriately influence or bias the actions of a contractor, staff member, board member, or volunteer of the resource center to limit the information given to a consumer to steer the consumer to services that may also be provided by the resource center"

Page 1, line 15, remove "without a conflict of interest"

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Renumber accordingly

2007 HOUSE HUMAN SERVICES

SB 2070

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2070

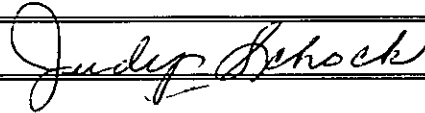
House Human Services Committee

Check here for Conference Committee

Hearing Date: February 26, 2007

Recorder Job Number: 3846

Committee Clerk Signature



Minutes:

Chairman Price: We will open the hearing on SB 2070.

Linda Wright, Director of the Aging Services Division, Department of Human Services:

See testimony attached, along with a fact sheet and a summary of ADRC grant.

Representative Price: I see one thing under access is, conduct comprehensive assessment.

Do you see any duplication than because they already have some assessments being done depending where the person is in the stage of needing.

Ms Wright: the anticipation is you are building partnerships with those organizations and entities that are already providing assessment or other services, and bring them together so that they will agree on an investment that would be applicable to any of the services.

Representative Conrad: Is there an assumption here that we have enough people to do the work already out there? Do we just have to coordinate better. Is that what you are saying, and I am not sure I agree with that assumption.

Ms Wright: I don't know that it assumes that. What we would be looking at because this is a demonstration project or pilot project. With this proposal being able to establish pilot places, one in urban area and one in the rural area and one on the reservation to see what does and what does not work. How can we reach the most people in the most effective manner?

