

2019 SENATE HUMAN SERVICES COMMITTEE

SB 2240

2019 SENATE STANDING COMMITTEE MINUTES

Human Services Committee
Red River Room, State Capitol

SB 2240
1/23/2019
JOB # 31258 & # 31264

- Subcommittee
 Conference Committee

Committee Clerk: Florence Mayer for Justin Velez

Explanation or reason for introduction of bill/resolution:

Relating to references to substance abuse disorders.

Minutes:

Vote sheet attached

JOB # 31258

Vice Chair O. Larsen: Called the committee to order on SB 2240. This bill is mainly clean up language and name change as far as I can tell. Any other department testimony? Seeing non, I think we will recess on this bill until Senator Lee returns. We will stand at ease until 10am for SB 2240.

ADJOURNED UNTIL SENATOR LEE RETURNED

JOB # 31264

Vice Chair O. Larsen: Called the hearing of SB 2240 back to order now that Senator Lee has returned.

Senator Judy Lee, District 13, West Fargo: Apologized for being late, testifying on another bill. SB 2240 is an 11-page bill with a short description. It updates outdated words used to describe substance abuse disorders. For example, page 3, line 17, instead of "alcohol dependence", "Substance use disorder" replaces it. Explained other examples. This is a "person first" idea where the person is mentioned before the condition. This is not complex, just an update of language.

(2:16) Pam Sagnass, Director of Behavior Health Division with DHS: No written testimony. Testified in support of SB 2240. Simply an update of words in order to meet the Diagnostic Manual utilized for the treatment of substance abuse disorders and mental illness.

Vice Chair O. Larsen: Further questions? Further testimony for, against, or neutral?
Closed the hearing on SB 2240.

Senator Anderson: I move a Do Pass on SB 2240

Senator Roers: Seconded.

Vice Chair O. Larsen: Any further discussion? Hearing none, I'll ask the clerk to take the roll.

A Roll Call Vote Was Taken: 6 yeas, 0 nays, 0 absent.

Motion Carried.

Senator O. Larsen will carry the bill.

2019 SENATE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 2240

Senate Human Services Committee

Subcommittee

Amendment LC# or Description: _____

Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
 Other Actions: Reconsider _____

Motion Made By Sen. Anderson Seconded By Sen. K. Roers

Senators	Yes	No	Senators	Yes	No
Chair Lee	X		Senator Hogan	X	
Vice Chair Larsen	X				
Senator Anderson	X				
Senator Clemens	X				
Senator Roers	X				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Sen. O. Larsen

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

REPORT OF STANDING COMMITTEE

SB 2240: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2240 was placed on the Eleventh order on the calendar.

2019 HOUSE HUMAN SERVICES

SB 2240

2019 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee
Fort Union Room, State Capitol

SB 2240
3/6/2019
33292

- Subcommittee
 Conference Committee

Committee Clerk: Nicole Klaman by Donna Whetham

Explanation or reason for introduction of bill/resolution:

Relating to references to substance abuse disorders.

Minutes:

Attachment 1.

Chairman Weisz: Opened the hearing on SB 2240.

Pam Sagness, Director of the Behavioral Health Division of the Department of Human Services: In support of SB 2240. This bill updates the language found in the North Dakota Century Code to be aligned with current terminology. This was reviewed by Legislative Council and BHS also did a legal review to ensure it stayed as it was and it was just a language change. (See attachment 1). 1:00-2:31

Rep. Dobervich: On Line 22 page 1 and in a few other places the phrase “spend thrift” is still in there which is a fairly antiquated phrase as well. Was there any discussion why taking out “habitual drunkard” but keeping spend thrift in. Maybe the committee should make changes to this?

Pam Sagness: That is just an oversight. We provided language that they searched for and I am assuming that is something we had not brought up as a concern. We would be supportive of anything you might find in the language.

Rep. Rohr: So legal looked at this but what about the whole issue of reimbursement?

Pam Sagness: This would bring the language to be current with the language that is used in Medicaid and all of the other plans. We have been updated to align to the levels of care and also to the most recent version of the Diagnostic and Statistical Manual of Mental Disorders (DSM). This would bring this into compliance.

Chairman Weisz: Any further questions? Any other support of SB 2240? Any opposition? Seeing none.

Hearing closed on SB 2240.

2019 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee
Fort Union Room, State Capitol

SB 2240
3/18/2019
33899

- Subcommittee
 Conference Committee

Committee Clerk: Nicole Klaman by Donna Whetham

Explanation or reason for introduction of bill/resolution:

Relating to references to substance abuse disorders.

Minutes:

Attachment 1.

Chairman Weisz: Opened the hearing on SB 2240. We are looking at some amendments for this bill.

Rep. Gretchen Dobervich: I was looking at taking out the phrase “spend thrift” and apparently in taking out the “habitual drunkard” every policy that had anything relating to that had been gone through and it would have to be corrected everywhere. I feel at this time perhaps leaving “spend thrift” in at this time. However, on Page 8 line 20 after “an” insert “individual who is”. So it would be more in line with competency. We will save “spend thrift” for another time. **(See Attachment 1)**. I move to amend SB 2240 with on Page 8 line 20 after “an” insert “individual who is”.

Vice Chairman Rohr: Seconded.

Chairman Weisz: So we will still be keeping “spend thrift”.

Rep. Gretchen Dobervich: It looks like on page 1 line 22 we would also need to make that change. So I withdraw my motion and I move that throughout SB 2240 anyplace the phrase incompetent person appears that we change it to and” individual who is incompetent”.

Vice Chairman Rohr: Seconded.

Chairman Weisz: Any further discussion? Seeing none.

Voice vote taken: Motion carries to amend SB 2240.

Chairman Weisz: *Any other amendments or discussion? Seeing none.*

Rep. Dobervich: I move a Do Pass on SB 2240 as amended.

House Human Services Committee

SB 2240

3/18/2019

Page 2

Vice Chairman Rohr: Seconded.

Roll call vote taken: Yes: 12 No: 2 Absent: 0.

Motion carries: on SB 2240 for a Do Pass as amended.

Vice Chairman Rohr: Will carry the bill.

Hearing closed.

March 18, 2019

DP 3/18/19

PROPOSED AMENDMENTS TO SENATE BILL NO. 2240

Page 1, line 22, after "or" insert "an individual who is"

Page 1, line 22, overstrike "person"

Page 8, line 20, after "an" insert "individual who is"

Page 8, line 20, after "or" insert "a"

Renumber accordingly

**2019 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. SB 2240**

House Human Services Committee

Subcommittee

Amendment LC# or Description: On Page 8, line 20 after "an" insert "individual who is"

Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
 Other Actions: Reconsider _____

Motion Made By Rep. Dobervich Seconded By Rep. Rohr

Representatives	Yes	No	Representatives	Yes	No
Robin Weisz - Chairman			Gretchen Dobervich		
Karen M. Rohr – Vice Chairman			Mary Schneider		
Dick Anderson					
Chuck Damschen					
Bill Devlin					
Clayton Fegley					
Dwight Kiefert					
Todd Porter					
Matthew Ruby					
Bill Tveit					
Greg Westlind					
Kathy Skroch					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

Motion Withdrawn.

**2019 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. SB 2240**

House Human Services Committee

Subcommittee

Amendment LC# or Description: Anywhere the phrase "incompetent person" appears replace it with "an individual who is".

Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
 Other Actions: Reconsider _____

Motion Made By Rep. Dobervich Seconded By Rep. Rohr

Representatives	Yes	No	Representatives	Yes	No
Robin Weisz - Chairman			Gretchen Dobervich		
Karen M. Rohr – Vice Chairman			Mary Schneider		
Dick Anderson					
Chuck Damschen					
Bill Devlin					
Clayton Fegley					
Dwight Kiefert					
Todd Porter					
Matthew Ruby					
Bill Tveit					
Greg Westlind					
Kathy Skroch					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

Voice Vote. Motion carries.

**2019 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. SB 2240**

House Human Services Committee

Subcommittee

Amendment LC# or Description: 19.1033.01001

Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
 Other Actions: Reconsider _____

Motion Made By Rep. Dobervich Seconded By Rep. Rohr

Representatives	Yes	No	Representatives	Yes	No
Robin Weisz - Chairman	X		Gretchen Dobervich	X	
Karen M. Rohr – Vice Chairman	X		Mary Schneider	X	
Dick Anderson	X				
Chuck Damschen	X				
Bill Devlin		X			
Clayton Fegley	X				
Dwight Kiefert	X				
Todd Porter	X				
Matthew Ruby		X			
Bill Tveit	X				
Greg Westlind	X				
Kathy Skroch	X				

Total (Yes) 12 No 2

Absent 0

Floor Assignment Rep. Rohr

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

Motion carries.

REPORT OF STANDING COMMITTEE

SB 2240: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2240 was placed on the Sixth order on the calendar.

Page 1, line 22, after "or" insert "an individual who is"

Page 1, line 22, overstrike "person"

Page 8, line 20, after "an" insert "individual who is"

Page 8, line 20, after "or" insert "a"

Renumber accordingly

2019 TESTIMONY

SB 2240

#1
SB 2240
3-6-19

Testimony
Senate Bill 2240 - Department of Human Services
House Human Services Committee
Representative Robin Weisz, Chairman

March 6, 2019

Chairman Weisz and members of the House Human Services Committee, I am Pamela Sagness, Director of the Behavioral Health Division of the Department of Human Services (Department). I appear today to provide testimony in support of Senate Bill 2240.

Senate Bill 2240 updates language found in North Dakota Century Code to be aligned with current terminology, including being person-centered. For example, throughout the various sections, “alcohol dependence” is changed to “alcohol use disorder”; “chemical dependency” is changed to “substance use disorder” or “addiction” as appropriate for the section; “chemically dependent or mentally ill patients” is changed to “individuals with a mental illness or substance use disorder”; and “habitual drunkard” language is eliminated.

This concludes my testimony, and I am happy to answer any questions.

#1
SB 2240
3-18-19

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL 2240

Page 8, line 20, after "an" insert "individual who is"

Page 8, line 20, after the second "or" insert "a"