Fifty-sixth Legislative Assembly of North Dakota

## ENGROSSED SENATE BILL NO. 2035

Introduced by

Legislative Council

(Budget Committee on Long-Term Care)

- 1 A BILL for an Act to create and enact a new section to chapter 50-24.4 of the North Dakota
- 2 Century Code, relating to limits on geropsychiatric nursing facilities; and to amend and reenact
- 3 section 50-24.4-13 of the North Dakota Century Code, relating to exceptions to case mix
- 4 nursing home rates.

5

8

9

10

13

16

17

18

19

20

21

22

23

24

## BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 50-24.4-13 of the North Dakota Century Code is amended and reenacted as follows:

amended and reenacted as follows: **50-24.4-13. Exclusion.** Until procedures for determining operating cost payment rates

according to mix of resident needs are established for nursing homes that exclusively provide

residential services for the nongeriatric physically handicapped individuals with physical

11 <u>disabilities or units within nursing homes which exclusively provide geropsychiatric services,</u>

12 such nursing homes or units within nursing homes may not be included in the calculation of the

percentiles of any group. Each of these nursing homes or units within nursing homes shall

14 receive their its actual allowed historical operating cost per diem adjusted by a percentage

15 amount equal to the increase, if any, in the national or state economic change index, made

available under section 50-24.4-10, and which the department determines to be relevant to

residential services for the nongeriatric physically handicapped individuals with physical

disabilities or geropsychiatric services.

**SECTION 2.** A new section to chapter 50-24.4 of the North Dakota Century Code is created and enacted as follows:

Limits on geropsychiatric facilities. The number of units within nursing homes which exclusively provide geropsychiatric services may not exceed one, and admission to a nursing home which exclusively provides geropsychiatric services may only be granted after the state hospital has performed an evaluation of the individual being admitted. After a

Fifty-sixth Legislative Assembly

- 1 geropsychiatric unit has been established within a nursing home, the state hospital may not
- 2 offer geropsychiatric services through a separate geropsychiatric unit.