

Fifty-seventh
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1115

Introduced by

Human Services Committee

(At the request of the Department of Human Services)

1 A BILL for an Act to create and enact a new section to chapter 50-24.1 and a new subsection to
2 section 50-24.5-02 of the North Dakota Century Code, relating to a personal care option for
3 individuals residing in basic care facilities and an income supplement for eligible beneficiaries
4 who reside in assisted living facilities.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1.** A new section to chapter 50-24.1 of the North Dakota Century Code is
7 created and enacted as follows:

8 **Personal care option.**

- 9 1. For purposes of this section:
- 10 a. "Assisted living facility" has the meaning provided in section 50-24.5-01.
- 11 b. "Basic care facility" has the meaning provided in section 23-09.3-01.
- 12 2. The department of human services shall implement a personal care option benefit
13 program. Personal care option benefits may only be made available to qualifying
14 individuals who reside in basic care facilities.
- 15 3. For the purpose of establishing a limit on funds available to supplement the income
16 of individuals residing in assisted living facilities, the department of human services
17 shall annually estimate the amount of nonfederal funds that would be expended
18 under section 50-24.5-02 to supplement the income of aid to vulnerable aged,
19 blind, and disabled persons who reside in basic care facilities, but for the provision
20 of personal care option benefits under subsection 2.

21 **SECTION 2.** A new subsection to section 50-24.5-02 of the North Dakota Century Code
22 is created and enacted as follows:

23 Supplement, within the limits established by the estimate described in section 1 of
24 this Act, and within the limits of legislative appropriations, the income of an

1 individual who is eligible to receive benefits under title XIX of the Social Security
2 Act [42 U.S.C. 1396 et seq.] and who resides in an assisted living facility to the
3 extent that the individual lacks income sufficient to meet the costs of that facility,
4 provided at rates determined by the department.