

Fifty-seventh
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1385

Introduced by

Representative Delzer

1 A BILL for an Act to amend and reenact section 50-06-06.13 of the North Dakota Century
2 Code, relating to treatment services for children with serious emotional disorders.

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

4 **SECTION 1. AMENDMENT.** Section 50-06-06.13 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **50-06-06.13. Treatment services for children with serious emotional disorders.**

7 The department shall establish in all human service regions a program to provide out-of-home
8 treatment services for a medicaid-eligible child with a serious emotional disorder. If the
9 department proposes to place a child ~~is placed~~ in an out-of-home treatment program
10 established under this section, without the consent of the child's parent or legal guardian, the
11 juvenile court must make a judicial determination as to whether the proposed placement is in
12 the best interests of the child. The department may not require a parent or legal guardian to
13 transfer legal custody of the child in order to have the child placed in an out-of-home treatment
14 program when the sole reason for the placement is the need to obtain services for the child's
15 emotional or behavioral problems.