

Sixtieth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1482

Introduced by

Representatives Koppelman, Kreidt, Svedjan, Thoreson

Senators Dever, Warner

1 A BILL for an Act to create and enact a new section to chapter 12-47 of the North Dakota
2 Century Code, relating to health care for chronically or terminally ill offenders.

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

4 **SECTION 1.** A new section to chapter 12-47 of the North Dakota Century Code is
5 created and enacted as follows:

6 **Definitions - Health care for chronically or terminally ill offenders - Notice to**
7 **health care facility.**

8 1. As used in this section:

9 a. "Chronically ill" has the same meaning as in section 26.1-33.2-01.

10 b. "Department" means the department of corrections and rehabilitation.

11 c. "Health care facility" means an assisted living facility as defined in section
12 23-09-01, a basic care facility as defined in section 23-09.3-01, or a nursing
13 home as defined in section 23-30-01, except that transitional care units and
14 other long-term care beds owned or operated on the premises of acute care
15 hospitals or critical care hospitals are not health care facilities for the purpose
16 of this section.

17 d. "Terminally ill" has the same meaning as in section 26.1-33.2-01.

18 2. If an offender is to be given an early release, pardon, or parole due to a chronic or
19 terminal illness for admission as a resident of a health care facility due to the
20 chronic or terminal illness, at least fifteen days before the offender's admission as
21 a resident of a health care facility the department shall provide written notice to the
22 administrator of the facility, stating:

23 a. The offense for which the offender was convicted and a description of the
24 actual offense;

- 1 b. The offender's status with the department;
- 2 c. That, subject to subsection 3, the information provided by the department
- 3 regarding the offender may be provided to residents and employees of the
- 4 facility by the administrator of the facility;
- 5 d. The offender's health status and type of health care the offender requires;
- 6 e. Any available risk assessment information regarding the offender's likelihood
- 7 of reoffending; and
- 8 f. The name of the party responsible for the payment for the services provided
- 9 by the health care facility to the offender.
- 10 3. The administrator of the facility may provide notice to each resident of the facility or
- 11 the resident's guardians and the employees of the facility that a convicted felon is
- 12 being admitted to the facility.