

Sixty-first
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2046

Introduced by

Legislative Council

(Long-Term Care Committee)

1 A BILL for an Act to create and enact a new section to chapter 23-01 of the North Dakota
2 Century Code, relating to surveys during construction or renovation projects of health facilities
3 licensed by the state department of health; to provide legislative intent; to provide an
4 appropriation; and to declare an emergency.

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

6 **SECTION 1.** A new section to chapter 23-01 of the North Dakota Century Code is
7 created and enacted as follows:

8 **Survey program - Health facilities construction or renovation projects.**

- 9 1. The state department of health shall conduct a life safety survey process for all
10 health facilities licensed by the division of health facilities of the state department
11 of health during and at the conclusion of a construction, renovation, or construction
12 and renovation project.
- 13 2. The department may charge a reasonable fee for the review of plans for
14 construction, renovation, or construction and renovation projects performed under
15 this section based on the size of the project. Revenues derived from the fees
16 collected under this subsection must be deposited in the department's operating
17 fund in the state treasury.
- 18 3. The department shall design and operate the program in a manner that will provide
19 that the surveyor that performs a life safety survey under this section does not
20 violate the federal requirements associated with medicare-certified life safety
21 surveys.

22 **SECTION 2. LEGISLATIVE INTENT.** The legislative assembly authorizes the
23 department of health to add two full-time equivalent positions to carry out section 1 of this Act.

1 **SECTION 3. APPROPRIATION.** There is appropriated out of any moneys in the
2 general fund in the state treasury, not otherwise appropriated, the sum of \$215,680, or so much
3 of the sum as may be necessary, and from other funds the sum of \$106,230, or so much of the
4 sum as may be necessary, derived from fees collected before reviews of plans for construction,
5 renovation, or construction and renovation projects for health facilities licensed by the
6 department to the department of health for the purpose of carrying out section 1 of this Act, for
7 the biennium beginning July 1, 2009, and ending June 30, 2011.

8 **SECTION 4. EMERGENCY.** Sections 1 and 2 of this Act are declared to be an
9 emergency measure.