

Sixty-second
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2268

Introduced by

Senators Wardner, Nelson

Representative N. Johnson

1 A BILL ~~for an Act to provide for a regional autism spectrum disorder centers of achievement pilot~~
2 ~~program; to provide for a department of human services report to the legislative management;~~
3 ~~to provide for a legislative management study; and to provide an appropriation.~~ for an Act to
4 provide for a regional autism spectrum disorder centers of early intervention and achievement
5 pilot program; to provide for a report to the legislative management; to provide for a report to the
6 sixty-third legislative assembly; to provide for a legislative management study; and to provide an
7 expiration date.

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

9 ~~SECTION 1. REGIONAL AUTISM SPECTRUM DISORDER CENTERS OF~~
10 ~~ACHIEVEMENT PILOT PROGRAM - DEPARTMENT OF HUMAN SERVICES STUDY -~~
11 ~~REPORT TO THE LEGISLATIVE MANAGEMENT.~~

12 ~~1. During the 2011-13 biennium, the department of human services shall establish and~~
13 ~~operate a regional autism spectrum disorder centers of achievement pilot program.~~

14 ~~a. The pilot program must provide a matching grant to a qualified applicant that is a~~
15 ~~nonprofit intermediate care facility for the mentally retarded which is licensed by~~
16 ~~the department of human services.~~

17 ~~b. A qualified applicant shall establish the availability of one dollar of nonstate, cash~~
18 ~~matching funds for each grant dollar awarded under this section. The source of~~
19 ~~the matching funds may not be a gift or grant, but must be funds of the applicant.~~

20 ~~c. A qualified applicant shall submit a plan for the funding, development, and~~
21 ~~delivery of skilled services to individuals with autism spectrum disorder who~~
22 ~~reside within the applicant's service region. The plan must provide for the~~
23 ~~establishment of a regional autism spectrum disorder center of achievement in a~~
24 ~~city with a population of more than ten thousand.~~

1 ~~———— d. As a condition of award of a grant under this program, a qualified applicant shall~~
2 ~~agree to collaborate with the department of human services in developing and~~
3 ~~implementing the plan as well as postaward monitoring by the department of~~
4 ~~human services.~~

5 ~~———— 2. During the 2011-13 biennium, the department of human services shall work with public~~
6 ~~and private stakeholders to study the feasibility of establishing a network of regional~~
7 ~~autism spectrum disorder centers of achievement. The study must include:~~

8 ~~———— a. Consideration of funding needs and sources for startup as well as ongoing~~
9 ~~financial sustainability of a network of regional autism spectrum disorder centers~~
10 ~~of achievement;~~

11 ~~———— b. Evaluation of the unmet needs in the state related to the regional delivery of~~
12 ~~skilled services to individuals with autism spectrum disorder, consideration of the~~
13 ~~most effective and efficient delivery system for these skilled services, and~~
14 ~~evaluation of whether the skilled services provided by the qualified applicant~~
15 ~~under subsection 1 is part of a viable plan to increase availability of these~~
16 ~~services; and~~

17 ~~———— c. Evaluation of the funding, development, and delivery of the skilled services~~
18 ~~provided by a qualified applicant under subsection 1, including recommendations~~
19 ~~regarding the feasibility and desirability of implementing the pilot program on a~~
20 ~~broader scale.~~

21 ~~———— 3. During the 2011-13 biennium, the department of human services shall provide regular~~
22 ~~status reports to and work in cooperation with the legislative management as the~~
23 ~~legislative management conducts the study provided for under section 2 of this Act.~~

24 ~~———— 4. Before September 1, 2012, the department of human services shall report to the~~
25 ~~legislative management on the preliminary findings and recommendations of the~~
26 ~~regional autism spectrum disorder centers of achievement pilot program and study.~~
27 ~~During the 2013 legislative session, the department of human services shall introduce~~
28 ~~any legislation that may be necessary to implement the study recommendations.~~

29 ~~———— **SECTION 2. AUTISM STUDY – LEGISLATIVE MANAGEMENT.** During the 2011-12~~
30 ~~interim, the legislative management shall conduct a comprehensive study of the current system~~
31 ~~for the diagnosis of, treatment of, care for, and education of individuals with autism spectrum~~

disorder and shall make recommendations regarding how this system can be improved to better meet the needs of individuals with autism spectrum disorder. The study must consider the recommendations of the autism spectrum disorder task force and must seek input from stakeholders in the private and public sectors, including families impacted by autism spectrum disorder, insurers, educators, treatment providers, early childhood service providers, caretakers, and nonprofit intermediate care facilities for the mentally retarded. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-third legislative assembly.

~~— **SECTION 3. APPROPRIATION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$600,000, or so much of the sum as may be necessary, to the department of human services for the purpose of implementing the regional autism spectrum disorder centers of achievement pilot program and study provided for under section 1 of this Act, for the biennium beginning July 1, 2011, and ending June 30, 2013.~~

SECTION 1. REGIONAL AUTISM SPECTRUM DISORDER CENTERS OF EARLY INTERVENTION AND ACHIEVEMENT PILOT PROGRAM - REPORT TO THE LEGISLATIVE MANAGEMENT - REPORT TO THE SIXTY-THIRD LEGISLATIVE ASSEMBLY. During the 2011-13 biennium, the department of human services may use up to \$200,000 of funding from its legislative appropriation to establish and operate a regional autism spectrum disorder centers of early intervention and achievement pilot program.

1. The pilot program must provide a matching grant to a qualified applicant that is a nonprofit intermediate care facility for individuals with intellectual disabilities which is licensed by the department of human services.
2. A qualified applicant shall establish the availability of \$1 of nonstate, cash matching funds for each grant dollar awarded under this section. The source of the matching funds must be funds of the applicant.
3. A qualified applicant shall submit a plan for the funding, development, and delivery of skilled services to individuals with autism spectrum disorder who reside within the applicant's service region. The plan must provide for the establishment of a regional autism spectrum disorder center of early intervention and achievement in a city with a population of more than ten thousand.

1 4. As a condition of a grant award under this program, a qualified applicant shall agree to
2 collaborate with the department of human services in developing and implementing
3 the plan as well as postaward monitoring by the department of human services.

4 5. The department of human services shall report to the legislative management before
5 September 30, 2012, on the preliminary findings and recommendations of the pilot
6 program. The department of human services shall provide a written report
7 summarizing the status of the pilot program and any findings and recommendations to
8 the legislative management before December 31, 2012.

9 6. The department of human services shall report to the appropriations committees of the
10 sixty-third legislative assembly on the status of the pilot program and any findings and
11 recommendations.

12 **SECTION 2. AUTISM STUDY - LEGISLATIVE MANAGEMENT STUDY.** During the
13 2011-12 interim, the legislative management shall consider studying the current system for the
14 diagnosis of, early treatment of, care for, and education of individuals with autism spectrum
15 disorder. The study must include a review of a sliding fee scale for payment of services and the
16 value of services provided. The study must consider the recommendations of the autism
17 spectrum disorder task force and must seek input from stakeholders in the private and public
18 sectors, including families affected by autism spectrum disorder, insurers, educators, treatment
19 providers, early childhood service providers, caretakers, and nonprofit intermediate care
20 facilities for individuals with intellectual disabilities. The legislative management shall report its
21 findings and recommendations, together with any legislation required to implement the
22 recommendations, to the sixty-third legislative assembly.

23 **SECTION 3. EXPIRATION DATE.** Section 1 of this Act is effective through June 30, 2013,
24 and after that date is ineffective.