

Sixty-second
Legislative Assembly
of North Dakota

SENATE BILL NO. 2261

Introduced by

Senator J. Lee

Representative Weisz

1 A BILL for an Act to create and enact a new section to chapter 25-16 of the North Dakota
2 Century Code, relating to a moratorium on granting licenses to new intermediate care facilities
3 for the mentally retarded.

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

5 **SECTION 1.** A new section to chapter 25-16 of the North Dakota Century Code is
6 created and enacted as follows:

7 **Moratorium on granting licenses to new intermediate care facilities for the mentally**
8 **retarded.**

9 Intermediate care facility for the mentally retarded beds may not be added to the bed
10 capacity licensed by the department's developmental disabilities division, unless the provider
11 requesting an initial license for an intermediate care facility for the mentally retarded
12 demonstrates to the department that current noninstitutional levels of care are unable to meet
13 the needs of individuals needing care and, if so, that the current intermediate care facility for the
14 mentally retarded bed capacity is unable to meet these needs.