

Sixty-third
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1101

Introduced by

Human Services Committee

(At the request of the Department of Human Services)

1 A BILL for an Act to create and enact two new sections to chapter 50-31 of the North Dakota
2 Century Code, relating to opioid treatment programs; and to amend and reenact section
3 50-31-01 of the North Dakota Century Code, relating to opioid treatment programs.

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

5 **SECTION 1. AMENDMENT.** Section 50-31-01 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **50-31-01. ~~Definition~~Definitions.**

8 1. "Department" means the department of human services.

9 2. "Opioid treatment program" means a program through which medication is dispensed
10 in the treatment of opioid addiction.

11 **SECTION 2.** Two new sections to chapter 50-31 of the North Dakota Century Code are
12 created and enacted as follows:

13 **State opioid treatment authority.**

14 The division of mental health and substance abuse services of the department is
15 designated as the state opioid treatment authority.

16 **Opioid treatment programs - Licensure required - Rules.**

17 1. To operate in this state, an opioid treatment program must be granted a license from
18 the department, certification from the United States department of health and human
19 services substance abuse and mental health services administration, and registration
20 from the United States department of justice drug enforcement administration.

21 2. The department may license a substance abuse treatment program to operate an
22 opioid treatment program in the state. A separate license is required for each location
23 at which an opioid treatment program is operated under this section.

- 1 3. The department shall adopt rules relating to licensing and monitoring opioid treatment
2 programs, including rules for:
 - 3 a. Standards for approval and maintenance of license;
4 b. Assessment of need for an opioid treatment program in the proposed location;
5 c. Patient eligibility for admission to an opioid treatment program;
6 d. Treatment standards, including counseling and drug testing requirements; and
7 e. Measures to prevent the diversion to illegal use of any drug used by a program to
8 treat an opioid addiction.
- 9 4. Each state-licensed opioid treatment program shall submit by electronic means
10 information regarding each prescription dispensed for a controlled substance to the
11 state's prescription drug monitoring program, unless specifically exempted by federal
12 law.