

Introduced by

Senators J. Roers, Lee, K. Roers

Representative Weisz

1 A BILL for an Act to amend and reenact section 23-01-37 of the North Dakota Century Code,  
2 relating to review of health facility construction and renovation projects.

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

4 **SECTION 1. AMENDMENT.** Section 23-01-37 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **23-01-37. Survey program - Health facilities construction or renovation projects -**  
7 **Innovation waivers.**

8 1. The state department of health shall conduct a life safety survey process for all health  
9 facilities licensed by the division of health facilities of the state department of health  
10 during and at the conclusion of a construction, renovation, or construction and  
11 renovation project. In conducting a survey under this section, the department may  
12 contract with a third party to review construction and renovation plans.

13 2. The department may charge a reasonable fee for the review of plans for construction,  
14 renovation, or construction and renovation projects performed under this section  
15 based on the size of the project. Revenues derived from the fees collected under this  
16 subsection must be deposited in the department's operating fund in the state treasury.

17 3. The state department of health shall make a determination on a construction,  
18 renovation, or construction and renovation project of ~~no~~:

19 a. No more than ~~one~~five million dollars within ~~sixty~~twenty-eight days of receipt of a  
20 complete application; and

21 b. More than five million dollars within fifty-six days of receipt of a complete  
22 application.

- 1           4.    The state department of health may approve a request for a waiver of a state law or
- 2                    rule relating to an innovative construction, renovation, or construction and renovation
- 3                    project if the lack of compliance does not adversely affect health or safety.
- 4           5.    The department shall design and operate the program in a manner that will provide
- 5                    that the surveyor that performs a life safety survey under this section does not violate
- 6                    the federal requirements associated with Medicare-certified life safety surveys.