



HUMAN SERVICES COMMITTEE

Thursday, October 6, 2022
Olson Auditorium, North Dakota State College of Science
1305 19th Avenue North
Fargo, North Dakota

Senator Judy Lee, Chairman, called the meeting to order at 9:00 a.m.

Members present: Senators Judy Lee, Howard C. Anderson, Jr., JoNell A. Bakke, Kathy Hogan, David Hogue; Representatives Gretchen Dobervich, Alisa Mitskog, Karen M. Rohr, Matthew Ruby, Mark Sanford, Mary Schneider, Randy A. Schobinger, Kathy Skroch, Michelle Strinden, Greg Westlind

Members absent: Senator Jason G. Heitkamp; Representatives Clayton Fegley and Dwight Kiefert

Others present: See [Appendix A](#)

It was moved by Representative Rohr, seconded by Senator Anderson, and carried on a voice vote that the minutes of the August 9, 2022, meeting be approved as distributed.

STUDY OF DEVELOPMENTAL DISABILITIES SERVICES AND AUTISM PROGRAMS

Chairman Lee called for committee discussion and consideration of any bill drafts relating to the study of developmental disabilities services and autism programs.

Senator Hogan distributed a bill draft [[23.0199.01000](#)] to implement the recommendations provided by the committee consultant who reviewed the state's developmental disabilities services and autism spectrum disorder (ASD) programs. She noted the bill draft:

- Creates a cross-disability advisory council and details the structure of the council.
- Repeals statutory provisions relating to the ASD task force.
- Appropriates \$2.9 million, of which 50 percent is from the general fund and 50 percent is from federal funds, to the Department of Health and Human Services and authorizes 8 full-time equivalent positions to allow the department to begin implementing the consultant recommendations.

It was moved by Senator Hogan, seconded by Senator Anderson, and carried on a roll call vote to reduce the appropriation in the bill to \$1,453,626 and to reduce the number of authorized full-time equivalent positions to 4. Senators Lee, Anderson, Hogan, and Hogue and Representatives Rohr, Ruby, Sanford, Schobinger, Skroch, Strinden, and Westlind voted "aye." Senator Bakke and Representatives Dobervich and Schneider voted "nay."

Mr. Christopher D. Jones, Executive Director, Department of Health and Human Services, responded to committee questions regarding the bill draft.

It was moved by Senator Hogan, seconded by Representative Sanford, and carried on a roll call vote that the bill draft, as revised, relating to implementing the recommendations of the study of developmental disabilities and ASD programs be approved and recommended to the Legislative Management. Senators Lee, Bakke, Hogan, and Hogue and Representatives Dobervich, Rohr, Ruby, Sanford, Schneider, Schobinger, Skroch, Strinden, and Westlind voted "aye." Senator Anderson voted "nay."

Comments by Interested Persons

Ms. Kirsten Dvorak, Executive Director, The ARC of North Dakota, provided comments ([Appendix B](#)) regarding the study of developmental disabilities services and ASD programs.

The following individuals provided written testimony regarding the study of developmental disabilities services and ASD programs:

- Ms. Julie Horntvedt ([Appendix C](#))
- Mr. Toby Lunstad ([Appendix D](#))
- Ms. Donene Feist ([Appendix E](#))
- Mr. Matt Ferderer ([Appendix F](#))
- Ms. Rita Lindgren ([Appendix G](#))
- Ms. Roxane Romanick ([Appendix H](#))
- Ms. Deidre Hillman ([Appendix I](#))
- Ms. Amy Thom ([Appendix J](#))
- Ms. Lindsay Roberts ([Appendix K](#))
- Ms. Anna McEnaney ([Appendix L](#))

STUDY OF EMPLOYMENT RESTRICTIONS IN PUBLIC ASSISTANCE PROGRAMS

Chairman Lee called for committee discussion and consideration of any bill drafts relating to the study of employment restrictions in public assistance programs.

Senator Hogan distributed a bill draft [[23.0181.01000](#)] to increase the temporary assistance for needy families program maximum basic standard of need benefit level to at least 50 percent of the federal poverty level based on household size.

Chairman Lee distributed a chart ([Appendix M](#)) detailing federal poverty levels.

It was moved by Senator Hogan, seconded by Representative Dobervich, and carried on a roll call vote that the bill draft relating to the temporary assistance for needy families program benefit levels be approved and recommended to the Legislative Management. Senators Lee, Anderson, Bakke, Hogan, and Hogue and Representatives Dobervich, Mitskog, Rohr, Ruby, Sanford, Schneider, Schobinger, Skroch, Strinden, and Westlind voted "aye." No negative votes were cast.

STUDY OF THE DEPARTMENT OF HUMAN SERVICES AND HUMAN SERVICE ZONE EMPLOYEE COMPENSATION

Mr. Jones provided comments to the committee regarding the Department of Human Services and human service zone compensation. He noted the Department of Health and Human Services (DHHS) is obtaining consulting services to provide a comprehensive compensation and equity study for DHHS and human service zones. The results of the study will be available for consideration by the Legislative Assembly during the 2023 legislative session.

OTHER BUSINESS

Consideration of Bill Drafts

Chairman Lee called for committee discussion and consideration of any other bill drafts.

Senator Hogan distributed a bill draft [[23.0189.02000](#)] to adjust the membership of the Children's Cabinet. She noted the bill draft:

- Removes the Speaker of the House of Representatives and the President Pro Tempore of the Senate from the membership of the cabinet.
- Provides for the House and Senate Majority Leaders to each appoint two members from their respective chambers to serve on the cabinet and provides for one member from each chamber to be from an even-numbered legislative district and one member from each chamber to be from an odd-numbered legislative district.
- Adds the Executive Director of DHHS to the membership of the cabinet.
- Provides for the cabinet to report annually to the Governor and Legislative Management regarding the activities of the cabinet.

It was moved by Senator Hogan, seconded by Representative Ruby, and carried on a roll call vote that the bill draft relating to the membership of the Children's Cabinet be approved and recommended to the Legislative Management. Senators Lee, Anderson, Bakke, Hogan, and Hogue and Representatives Dobervich, Rohr, Ruby, Sanford, Schneider, Schobinger, Skroch, Strinden, and Westlind voted "aye." No negative votes were cast.

Representative Skroch distributed a bill draft [23.0200.01000] to provide appropriations to DHHS and the Office of Management and Budget to increase funding for guardianship services. She noted the bill draft includes a \$500,000 general fund appropriation to DHHS to increase funding for developmental disability guardianships and includes a \$500,000 general fund appropriation for the Office of Management and Budget to increase funding for indigent guardianship grants.

Mr. Aaron Birst, Executive Director, North Dakota Association of Counties, distributed information regarding funding for indigent guardianships (Appendix N) and responded to committee member questions.

It was moved by Representative Skroch, seconded by Representative Rohr, and carried on a roll call vote that the bill draft appropriating additional funding for guardianship services be approved and recommended to the Legislative Management. Senators Lee, Anderson, Bakke, Hogan, and Hogue and Representatives Dobervich, Rohr, Ruby, Sanford, Schneider, Schobinger, Skroch, Strinden, and Westlind voted "aye." No negative votes were cast.

Basic Care Facility Payment Methodology

Ms. LeeAnn Theil, Assistant Director, Medical Services Division, Department of Health and Human Services, presented an update (Appendix O) on the status of the development of a revised payment methodology for basic care facilities. She noted the following recommendations regarding the new payment methodology:

Parameter	Recommendation
Payment limits	Median of facilities per diem rates plus 18 percent for direct cost and 12 percent for indirect costs
Rebasing frequency	Rebase rates every 4 years
Rebasing data utilized	Utilize current cost reports
Date to file cost reports	June 30 th of each year

Program of All-Inclusive Care for the Elderly

Ms. Katie Perry, Chief Strategy and Growth Officer, Knute Nelson; Mr. Jon Riewer, Chief Executive Officer, Eventide Senior Living; and Mr. Shawn Stuhau, Chief Executive Officer, Bethany Retirement Living, presented information (Appendix P) regarding the program of all-inclusive care for the elderly. They noted the program:

- Provides comprehensive medical care and long-term services and supports to individuals who meet their state's nursing home eligibility criteria.
- Mitigates the risk of hospitalization and nursing home admission due to the focus on preventative care.
- Reimburses providers through one capitated monthly payment for each eligible participant.

FirstLink 988 and 211 Services

Ms. Jennifer Illich, Executive Director, FirstLink, provided an overview (Appendix Q) of services provided by the entity. She noted:

- FirstLink is the only designated center in the state that can receive 988 suicide prevention and 211 information referral telephone calls.
- Additional funding is needed to respond to an increase in calls.
- Some states authorize a telecommunications fee to support 988 services.

Department of Health and Human Services Updates

Mr. Jones provided updates (Appendix R) regarding DHHS. He noted:

- The newly formed DHHS became effective September 1, 2022. Work continues to further integrate programs and unify paths to service entry.
- A new organizational structure for human service centers will utilize a collaborative leadership team of medical, clinical, and operations directors.

Committee Motion

It was moved by Senator Anderson, seconded by Representative Rohr, and carried on a voice vote that the Chairman and Legislative Council staff be requested to prepare a report and the bill drafts recommended by the committee and to present the report and recommended bill drafts to the Legislative Management.

Committee Tour

The committee traveled to Family HealthCare, 301 NP Avenue, Fargo, to receive information regarding the operations of the Federally Qualified Health Center and to conduct a tour of the facility.

No further business appearing, Chairman Lee adjourned the committee sine die at 2:15 p.m.

Brady A. Larson
Assistant Legislative Budget Analyst and Auditor

ATTACH:18