

Testimony
Engrossed House Bill No. 1460
Senate Human Services Committee
Senator Judy Lee, Chairman
March 17, 2025

Chairman Lee, and members of the Senate Human Services Committee, I am Nancy Nikolas Maier, Director of the Adult and Aging Services Section with the Department of Health and Human Services (Department). I appear before you to offer an amendment to engrossed House Bill No. 1460.

The Adult and Aging Services Section licenses Adult Foster Care (AFC) homes under NDCC 50-11 and administers state and federally funded Home and Community-Based Services (HCBS) to help eligible individuals afford this type of care. AFC offers a supportive living environment for older adults, adults with physical disabilities, and adults on the Developmental Disability waiver, providing assistance with daily activities like meals, personal care, and community integration.

The Department proposes an amendment to page 2, lines 6-17 of Section 2 to align with federal HCBS settings regulations that would prohibit video monitoring of AFC recipients due to privacy concerns and to ensure adult foster care residents, many of whom make their own care decisions, have a say in using monitoring devices.

We propose to strike "video monitor" from line 13. Additionally, we recommend adding language so line 16 reads "resident or, if incapacitated, the resident and resident's family or resident and legal representation before implementation."

This concludes my testimony. I would be happy to try to answer any questions the committee may have. Thank you.