

Fifty-fifth  
Legislative Assembly  
of North Dakota

## ENGROSSED HOUSE BILL NO. 1036

Introduced by

Legislative Council

(Budget Committee on Government Services)

(Representatives Martin, Kerzman)

1 A BILL for an Act to amend and reenact section 50-06-06.13 of the North Dakota Century  
2 Code, relating to an out-of-home treatment program for children with serious emotional  
3 disorders.

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

5 **SECTION 1. AMENDMENT.** Section 50-06-06.13 of the 1995 Supplement to the North  
6 Dakota Century Code is amended and reenacted as follows:

7 **50-06-06.13. Treatment services for ~~severely emotionally disturbed child~~ children**  
8 **with serious emotional disorders.** The department ~~may~~ shall establish in all human service  
9 regions a program ~~in up to three human service regions~~ to provide out-of-home treatment  
10 services for a ~~severely emotionally disturbed~~ medicaid-eligible child with a serious emotional  
11 disorder. Before a child may be placed in an out-of-home treatment program established under  
12 this section, the juvenile court must make a judicial determination that the placement is in the  
13 best interests of the child. The department may not require a parent or legal guardian to  
14 transfer legal custody of the child in order to have the child placed in an out-of-home treatment  
15 program when the sole reason for the placement is the need to obtain services for the child's  
16 emotional or behavioral problems.