

**FIRST ENGROSSMENT
with Conference Committee Amendments**

Fifty-fifth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1012

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the department of
2 human services; to provide for the transfer of appropriations between agencies and institutions;
3 to create and enact section 50-06-14.4 of the North Dakota Century Code, relating to projects
4 involving services for the alzheimer's and related dementia population; to provide an exemption
5 from section 54-44.1-11 and to authorize the sale of certain buildings on the grounds of the
6 state hospital to the department of corrections and rehabilitation; to amend and reenact
7 sections 25-04-20, 50-06-14.3, and 50-24.1-02.2 of the North Dakota Century Code, to amend
8 and reenact the new section to chapter 23-09.3 as created by section 2 of chapter 254 of the
9 1995 Session Laws and the new section to chapter 23-16 to the North Dakota Century Code as
10 created by section 3 of chapter 254 of the 1995 Session Laws, and to amend and reenact
11 section 4 of chapter 561 of the 1991 Session Laws as amended by section 18 of chapter 2 of
12 the 1993 Session Laws and by section 9 of chapter 34 of the 1995 Session Laws, relating to
13 the westwood park assets management committee, human service center directors, state basic
14 care program, a moratorium on long-term care bed capacity, and community resource
15 allowance; to repeal section 15 of House Bill No. 1041 as enacted by the fifty-fifth legislative
16 assembly; to provide for a legislative council study and reports to the budget section; to provide
17 an effective date; to provide an expiration date; and to declare an emergency.

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

19 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the
20 funds as may be necessary, are hereby appropriated out of any moneys in the general fund in
21 the state treasury, not otherwise appropriated, and from special funds derived from federal
22 funds and other income, to the department of human services and its various divisions, for the
23 purpose of defraying their expenses, for the biennium beginning July 1, 1997, and ending
24 June 30, 1999, as follows:

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1 Subdivision 1.

2 MANAGEMENT AND COUNCILS

3	Salaries and wages	\$ 8,851,202
4	Operating expenses	13,214,066
5	Equipment	87,939
6	Grants	715,477
7	Loan fund - DD	<u>1,840,956</u>
8	Total all funds	\$ 24,709,640
9	Less estimated income	<u>14,208,075</u>
10	Total general fund appropriation	\$ 10,501,565

11 Subdivision 2.

12 ECONOMIC ASSISTANCE

13	Salaries and wages	\$ 8,841,828
14	Operating expenses	29,027,234
15	Equipment	52,736
16	Capital improvements	2,543
17	Welfare reform contingency	159,800
18	Grants - assistance payments	175,180,115
19	Grants - medical assistance	<u>611,485,197</u>
20	Total all funds	\$ 824,749,453
21	Less estimated income	<u>631,892,967</u>
22	Total general fund appropriation	\$ 192,856,486

23 Subdivision 3.

24 PROGRAM AND POLICY

25	Salaries and wages	\$ 9,528,238
26	Operating expenses	13,589,797
27	Equipment	332,545
28	Capital improvements	1,619
29	Grants	<u>101,104,517</u>
30	Total all funds	\$ 124,556,716

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1	Less estimated income	<u>88,336,347</u>
2	Total general fund appropriation	\$ 36,220,369
3	Subdivision 4.	
4	NORTHWEST HUMAN SERVICE CENTER	
5	Total all funds	\$ 7,753,411
6	Less estimated income	<u>3,801,225</u>
7	Total general fund appropriation	\$ 3,952,186
8	NORTH CENTRAL HUMAN SERVICE CENTER	
9	Total all funds	\$ 12,567,842
10	Less estimated income	<u>6,512,482</u>
11	Total general fund appropriation	\$ 6,055,360
12	LAKE REGION HUMAN SERVICE CENTER	
13	Total all funds	\$ 7,218,639
14	Less estimated income	<u>3,202,436</u>
15	Total general fund appropriation	\$ 4,016,203
16	NORTHEAST HUMAN SERVICE CENTER	
17	Total all funds	\$ 15,851,751
18	Less estimated income	<u>8,531,389</u>
19	Total general fund appropriation	\$ 7,320,362
20	SOUTHEAST HUMAN SERVICE CENTER	
21	Total all funds	\$ 16,744,297
22	Less estimated income	<u>9,865,116</u>
23	Total general fund appropriation	\$ 6,879,181
24	SOUTH CENTRAL HUMAN SERVICE CENTER	
25	Total all funds	\$ 9,347,902
26	Less estimated income	<u>4,421,354</u>
27	Total general fund appropriation	\$ 4,926,548
28	WEST CENTRAL HUMAN SERVICE CENTER	
29	Total all funds	\$ 14,984,354
30	Less estimated income	<u>7,981,184</u>
31	Total general fund appropriation	\$ 7,003,170

1	BADLANDS HUMAN SERVICE CENTER	
2	Total all funds	\$ 8,118,947
3	Less estimated income	<u>3,837,857</u>
4	Total general fund appropriation	\$ 4,281,090
5	STATE HOSPITAL	
6	Operations	\$ 54,618,607
7	Capital improvements	<u>1,901,400</u>
8	Total all funds	\$ 56,520,007
9	Less estimated income	<u>18,626,024</u>
10	Total general fund appropriation	\$ 37,893,983
11	DEVELOPMENTAL CENTER	
12	Operations	\$ 39,233,420
13	Capital improvements	<u>262,000</u>
14	Total all funds	\$ 39,495,420
15	Less estimated income	<u>30,158,522</u>
16	Total general fund appropriation	\$ 9,336,898
17	Total all funds - subdivision 4	\$ 188,602,570
18	Total estimated income - subdivision 4	\$ 96,937,589
19	Total general fund appropriation - subdivision 4	\$ 91,664,981
20	Subdivision 5.	
21	COMPUTER TECHNOLOGY APPROPRIATION	
22	Total all funds	\$ 6,816,809
23	Less estimated income	<u>3,312,646</u>
24	Total general fund appropriation	\$ 3,504,163
25	Grand total general fund appropriation H.B. 1012	\$ 334,747,564
26	Grand total special fund appropriation H.B. 1012	\$ 834,887,624
27	Grand total all funds H.B. 1012	\$1,169,635,188
28	SECTION 2. LANDS AND MINERALS TRUST FUND. The amount of \$1,840,956, or	
29	so much of the sum as may be necessary, as appropriated in the developmentally disabled	
30	facility loan fund line item in section 1 of this Act, may be expended by the department of	
31	human services from the lands and minerals trust fund for the purpose of making payments of	

principal and interest to the common schools trust fund on any loans made from it pursuant to the developmentally disabled loan fund program nos. 2 and 3 for the biennium beginning July 1, 1997, and ending June 30, 1999.

SECTION 3. DEVELOPMENTAL DISABILITIES REVOLVING LOAN FUND. There may be expended by the department of human services, on or before June 1, 1999, from the cash balance of, and any payments deposited in, the revolving loan fund created under section 6-09.6-01, the sum of \$1,183,748, or so much of the sum as may be necessary, which is appropriated in section 1 of this Act.

SECTION 4. TRANSFER. Subject to the provisions of chapter 54-16, the director of the department of human services may transfer appropriation authority between agencies and institutions included in subdivisions 1 through 5 of section 1 of this Act.

SECTION 5. CORRELATION OF RESOURCES FOR DEPARTMENTAL CLIENTS. Notwithstanding section 4 of this Act, the director of the department of human services may transfer appropriation authority and authorized positions between agencies and institutions included within subdivision 4 of section 1 of this Act to correlate fiscal and staff resources with the flow of institutional residents and human service center clients between community-based programs and institutions. The transfers from human service centers require prior consultation with the regional human service center advisory boards. To the extent permitted by law, the department of human services shall structure the financing arrangements between the state and counties so as to relieve county social service boards of fiscal responsibility for grants to and for recipients in the temporary assistance for needy families program in exchange for increased county responsibility for financing the local cost of administering the program.

SECTION 6. LEGISLATIVE INTENT - HUMAN SERVICE CENTER AND INSTITUTIONAL SERVICES. It is the intent of the legislative assembly that while the legislative assembly is allowing the human service centers and institutions more funding flexibility during the 1997-99 biennium, the human service centers and institutions are expected to:

1. Continue to utilize standards, guidelines, practices, and core services in effect on March 1, 1997, for providing human services pursuant to subsection 2 of section 50-06-05.3.

2. Continue to strive toward improving the quality of services and monitor and strive to achieve successful client outcomes.
3. Maximize available federal or other funds to provide services and for service enhancements in consultation with the central office.
4. Utilize innovative and effective methods of service delivery in order to achieve cost savings or to enhance the level of services provided to clients.

Human service centers are to provide appropriate community services to continue the trend of fewer state hospital and developmental center admissions to serve clients, to the extent possible, in a least restrictive environment.

SECTION 7. LEGISLATIVE INTENT - FULL-TIME EQUIVALENT EMPLOYEES - REPORTS TO THE BUDGET SECTION AND THE LEGISLATIVE COUNCIL. It is the intent of the legislative assembly that the human service centers, the state hospital, and the developmental center report to the budget section and the legislative council, or its designee, on the hiring of any additional full-time equivalent positions in addition to those authorized by the legislative assembly during the biennium beginning July 1, 1997, and ending June 30, 1999.

SECTION 8. HUMAN SERVICE CENTER SERVICE COSTS - REIMBURSEMENT SYSTEM. Each regional human service center shall report its services provided during the biennium beginning July 1, 1997, and ending June 30, 1999, on a cost per service basis in a form designated by the executive director of the department of human services. The department shall analyze the data collected and develop, for the 1999-2001 biennium, a standardized reimbursement system for the human service centers based on service costs and any supplemental payment costs to be incorporated into the department's 1999-2001 biennium budget request.

SECTION 9. BUDGET SECTION APPROVAL. The welfare reform contingency may only be spent with prior budget section approval.

SECTION 10. AMENDMENT. Section 25-04-20 of the North Dakota Century Code is amended and reenacted as follows:

25-04-20. Westwood park assets management committee. The westwood park assets management committee consists of eleven members appointed by the governor as follows: three members of the senate, two from the majority faction and one from the minority

faction, and three members of the house of representatives, two from the majority faction and one from the minority faction; a representative of the department of human services; a representative of the department of economic development and finance; a representative of the attorney general's office; the mayor of Grafton; and the governor or the governor's designee.

~~The officers of the westwood park assets management committee must be elected annually.~~

The governor shall appoint a chairman. Any state agency may serve in an advisory capacity to the westwood park assets management committee at the discretion of the committee. The committee shall meet at ~~least twice each year and at other~~ such times as the committee or its chairman may direct. The legislative members of the committee are entitled to receive the same compensation per day as provided in section 54-35-10 for members of the legislative council and the necessary mileage and travel expenses provided in sections 44-08-04 and 54-06-09 while attending committee meetings or in the performance of such special duties as the committee may direct. The compensation provided for in this section may not be paid to any member of the committee who received salary or other compensation as a regular employee of the state, or any of its political subdivisions, or any institution or industry operated by the state. The westwood park assets management committee shall act when the legislative assembly is not in session to sell, ~~lease, and otherwise manage~~ the property of westwood park, subject to prior budget section approval. The department of human services shall provide staff services for the westwood park assets committee. Any conveyance made by the committee under this section is exempt from sections 54-01-05.2 and 54-01-05.5.

SECTION 11. AMENDMENT. Section 50-06-14.3 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

50-06-14.3. Department of human services to develop basic care facility ratesetting methodology. The department of human services shall develop a ratesetting methodology that provides for rates for all residents of basic care facilities that receive payments from the state or any political subdivision. The methodology may not provide for different rates for similarly situated residents because of the source of payment for any resident's care. The department shall consult with representatives of the basic care industry in this state in developing the ratesetting methodology. Beginning July 1, ~~1997~~ 1999, the department shall establish rates for all residents of basic care facilities that receive payments from the state or any political subdivision in accordance with the ratesetting methodology

developed by the department. After June 30, ~~1997~~ 1999, no agency of the state or any political subdivision may make payments to a basic care facility that does not set rates at the levels established by the department.

SECTION 12. Section 50-06-14.4 of the North Dakota Century Code is created and enacted as follows:

50-06-14.4. Alzheimer's and related dementia projects. The department of human services shall establish projects designed to meet the service needs of the alzheimer's and related dementia population. The projects established under this section must explore the financial and service viability of converting existing nursing facility or basic care capacity to a specific service environment that targets the alzheimer's and related dementia population. The state department of health shall cooperate with the department to ensure the success of the projects. The projects may be established notwithstanding subsections 2, 5, 10, and 11 and subdivision c of subsection 9 of section 50-24.5-01, relating to definitions for aid to aged, blind, and disabled persons, and subsection 1 of section 23-09.3-01, relating to the definition of a basic care facility.

SECTION 13. AMENDMENT. Section 50-24.1-02.2 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

50-24.1-02.2. Community spouse resource allowance. In determining eligibility for medical assistance applicants and recipients, the department of human services shall establish a community spouse resource allowance equal to the maximum community spouse resource allowance as provided by 42 U.S.C. 1396r-5(f)(2). This section applies to a community spouse of an institutionalized spouse. For purposes of this section, "institutionalized spouse" includes an individual who is described in 42 U.S.C. 1396a(a)(10)(A)(ii)(VI).

SECTION 14. AMENDMENT. The new section to chapter 23-09.3 of the North Dakota Century Code as created by section 2 of chapter 254 of the 1995 Session Laws is amended and reenacted as follows:

Moratorium on expansion of basic care bed capacity. ~~During the period after July 31, 1995, and before August 1, 1997, Except when existing beds are converted for use by the alzheimer's and related dementia population under the projects provided for in section 50-06-14.4, the state department of health and consolidated laboratories may not issue a license under this chapter for any additional bed capacity unless the expanded bed capacity~~

~~was approved by the health council under chapter 23-17.2 before August 1, 1995 above the state's gross licensed capacity of one thousand four hundred seventy-one beds, adjusted by any reduction in beds before July 31, 1997, during the period between August 1, 1997, and July 31, 1999. Transfers of existing beds from one municipality to another municipality must be approved if the department of health licensing requirements are met, during the period August 1, 1997, to July 31, 1999, only to the extent that for each bed transfer approved the total number of licensed beds in the state is reduced by the same number transferred.~~

SECTION 15. AMENDMENT. The new section to chapter 23-16 of the North Dakota Century Code as created by section 3 of chapter 254 of the 1995 Session Laws is amended and reenacted as follows:

Moratorium on expansion of long-term care bed capacity. Notwithstanding sections 23-16-06 and 23-16-10, ~~during the period after July 31, 1995, and before August 1, 1997~~ except when existing beds are converted for use by the alzheimer's and related dementia population under the projects provided for in section 50-06-14.4, the state department of health and consolidated laboratories may not issue a license for any additional bed capacity ~~unless the expanded bed capacity was approved by the health council under chapter 23-17.2 before August 1, 1995~~ above the state's gross licensed capacity of seven thousand one hundred forty beds, adjusted by any reduction in beds before July 31, 1997, during the period between August 1, 1997, and July 31, 1999. Transfers of existing beds from one municipality to another municipality must be approved if the department of health licensing requirements are met, during the period August 1, 1997, to July 31, 1999, only to the extent that for each bed transfer approved the total number of licensed beds in the state is reduced by the same number transferred. Certificate of need projects approved by the state health council before July 31, 1995, and not completed as of August 1, 1997, are considered to be within the state's licensed long-term care bed capacity as authorized by this section and may be completed. For long-term care bed transfers to be made within the state before the application of the one-for-one provisions in this section, the proposals for the transfer must have occurred and been discussed with the department of health before April 1, 1997, and confirmed with contracts executed between the parties to the transfer, and filed with the department of health before June 1, 1997, providing for the bed transfers to be completed by January 1, 1998, and not exceeding the state's licensed long-term bed capacity as authorized by this section.

SECTION 16. AMENDMENT. Section 4 of chapter 561 of the 1991 Session Laws as amended by section 18 of chapter 2 of the 1993 Session Laws and by section 9 of chapter 34 of the 1995 Session Laws is amended and reenacted as follows:

SECTION 4. PROCEEDS - APPROPRIATION. The proceeds from the sale of land, property, and equipment at westwood park must be deposited in the lands and minerals trust fund. There is hereby appropriated \$200,000, or so much thereof as may be necessary, from the lands and minerals trust fund, to the department of human services for capital improvements or demolition of existing buildings at westwood park for the period beginning July 1, 1991, and ending June 30, ~~1997~~ 1999.

SECTION 17. TRANSFER OF LAND AUTHORIZED.

1. The department of human services may sell to the department of corrections and rehabilitation the forensic unit building, the ET building and adjacent gymnasium, and surrounding real property.
2. The authorized sale is exempt from sections 54-01-05.2 and 54-01-05.5.

SECTION 18. EXEMPTION FROM BIDDING REQUIREMENTS. Notwithstanding any other provision of law relating to public contracts or bidding requirements, the department of human services may contract and expend funds for the renovation of the state hospital to accommodate patients as a result of any sale of the property described in section 17 of this Act.

SECTION 19. COMPUTER DEVELOPMENT COSTS - BUDGET SECTION APPROVAL. The appropriation in subdivision 5 contains funding for the following computer development projects:

	GENERAL	OTHER	
PROJECT	FUND	FUNDS	TOTAL
TEEM - release 3	\$ 899,607	\$ 473,037	\$1,372,644
RESPOND - release 3	260,583	137,021	397,604
State hospital	1,800,000		1,800,000
Medical - TANF	379,307	2,537,922	2,917,229
Child care	<u>164,666</u>	<u>164,666</u>	<u>329,332</u>
Total	\$3,504,163	\$3,312,646	\$6,816,809

The department of human services shall receive prior budget section approval before exceeding the costs for the named projects. If savings are projected for the computer projects, the department of human services may request budget section approval to start other projects

1 with projected savings. The department, as it develops the reforming and enhancing services
2 for the people of North Dakota (RESPOND) computer system, shall periodically report to the
3 budget section of the legislative council during the 1997-99 biennium on the status of the
4 development of the system, system costs and benefits, and the receipt of the matching federal
5 funds. Except as may be waived by approval of the budget section, the department may not
6 spend general fund appropriations made by the fifty-fifth legislative assembly for the RESPOND
7 computer system unless approval for the cost allocation plan for the receipt of matching federal
8 funds in the amounts not less than eighty-five percent of the amounts estimated during the
9 fifty-fifth legislative assembly has been received from the appropriate federal agency.

10 Except as may be waived by approval of the budget section of the legislative council,
11 the department of human services shall meet the requirements provided by the administration
12 for children and families of the United States department of health and human services in its
13 communication dated February 12, 1997, related to the state's development of the reforming
14 and enhancing services for the people of North Dakota (RESPOND) and training, education,
15 employment, and management (TEEM) project. The requirements include information
16 regarding client eligibility and expert system rules, cost benefit analysis for the TEEM and
17 RESPOND projects, and a revised budget for the TEEM and RESPOND projects.

18 **SECTION 20. LEGISLATIVE INTENT - COMPUTER DEVELOPMENT.** It is the intent
19 of the legislative assembly that the department of human services not enter into contracts for
20 computer development that require the expenditure of funds in future bienniums without the
21 prior approval of the legislative assembly.

22 **SECTION 21. LEGISLATIVE INTENT - CASE MANAGEMENT - PILOT PROJECTS.**
23 It is the intent of the legislative assembly that the department of human services may establish
24 pilot projects for expanded long-term care case management to assist functionally impaired
25 adults in accessing necessary services to maintain the appropriate level of independence in the
26 least restrictive setting at the lowest possible cost and that these pilot projects be financed
27 within available department resources.

28 **SECTION 22. LEGISLATIVE INTENT - TRANSITIONAL SERVICES -**
29 **DEVELOPMENTALLY DISABLED STUDENTS.** It is the intent of the legislative assembly that
30 the disability services division of the department of human services, the office of special
31 education of the department of public instruction, and local special education units explore

opportunities for collaboration and shared funding in the provision of transition services to developmentally disabled students between the ages of eighteen and twenty-one.

**SECTION 23. LEGISLATIVE INTENT - WAGE INCREASES FOR LOW-INCOME
DIRECT CONTACT STAFF OF COMMUNITY DEVELOPMENTAL DISABILITIES PROVIDER**

AGENCIES. In addition to any wage increases for direct contact staff financed out of the annual inflationary adjustments contained in subdivision 2 of section 1 of this Act, it is the intent of the legislative assembly that community developmental disabilities provider agencies attempt to mitigate staff turnover during the 1997-99 biennium by augmenting the wages of low-income direct contact staff with \$4,695,337 appropriated within subdivision 2 of section 1 of this Act and allocated by the department of human services for such purpose.

**SECTION 24. LEGISLATIVE INTENT - WAGE INCREASES FOR CERTIFIED
NURSE AIDE STAFF - NURSING HOME.** It is the intent of the legislative assembly that annual inflationary adjustments contained in subdivision 2 of section 1 of this Act for nursing home reimbursement be used by nursing homes to emphasize reducing certified nurse aide staff turnover by adjusting staff wages.

**SECTION 25. LEGISLATIVE INTENT - PILOT PROJECT FOR LOW-INCOME
PARENTS PROVIDING SERVICES TO DEVELOPMENTALLY DISABLED ADULT
CHILDREN - FEDERAL WAIVERS - BUDGET SECTION REPORTS.**

1. It is the intent of the legislative assembly that the department of human services seek appropriate federal waivers and establish a pilot program in one human service region to provide a subsidy on behalf of adult developmentally disabled children, age twenty-two and older, residing in the home of each adult child's parent or parents. The pilot program must:
 - a. Be limited to no more than five adult developmentally disabled children;
 - b. Provide subsidies substantially in the form of the family subsidy program;
 - c. Be limited to five hundred dollars per month per eligible adult developmentally disabled child; and
 - d. Be provided only on behalf of developmentally disabled adult children whose parent's income, not counting any form of means-tested public benefit, is no more than the federal poverty level applicable to a family of a size that includes the adult developmentally disabled child, that child's parent or

1 parents, and minor children of that parent or those parents, living with the
2 developmentally disabled adult child.

3 2. The pilot program required by this section must be based on policies developed
4 and implemented without rulemaking that may be otherwise required under law.

5 3. The department shall study the provision of subsidies under this section and report
6 on the status of available federal waivers and recommendations for the 1999-2001
7 biennium to the budget section of the legislative council.

8 **SECTION 26. EFFECTIVE DATE - EXPIRATION DATE.** Section 25 of this Act
9 becomes effective on April 1, 1997, and is effective through June 30, 1999, and after that date
10 is ineffective. Sections 14 and 15 are effective on August 1, 1997.

11 **SECTION 27. REPEAL.** If House Bill No. 1041 as enacted by the fifty-fifth legislative
12 assembly becomes effective, section 15 of House Bill No. 1041 is repealed.

13 **SECTION 28. DEPARTMENT OF HUMAN SERVICES REPORTS TO BUDGET**
14 **SECTION - HUMAN SERVICE CENTER, STATE HOSPITAL, AND DEVELOPMENTAL**
15 **CENTER BLOCK GRANT ACCOUNTABILITY.** The department of human services shall
16 report to the budget section of the legislative council by June 30, 1998, regarding human
17 service center, state hospital, and developmental center block grant accountability including
18 information regarding employee turnover and vacancies, human service center budget status
19 and cash flow, clinical services including persons served, changes in client demand for
20 services, waiting lists, impact on deinstitutionalization, and external purchase of services,
21 regional needs assessment and planning, and development of an evaluation and outcome
22 report.

23 **SECTION 29. LEGISLATIVE INTENT - TRAUMATIC BRAIN INJURY PROGRAM**
24 **ESTABLISHMENT - DEVELOPMENTAL CENTER.** Notwithstanding section 15 of this Act, it is
25 the intent of the legislative assembly that the developmental center be allowed to establish a
26 traumatic brain injury program, subject to emergency commission and budget section approval,
27 including up to twenty full-time equivalent employees, if the program can be established at the
28 same or at a reduced cost and funded from other departmental and third-party resources.

29 **SECTION 30. REPORTS TO BUDGET SECTION - WELFARE FRAUD -**
30 **COST-EFFECTIVENESS.** The department of human services shall periodically report to the
31 budget section regarding the welfare fraud detection programs including reports on

1 cost-effectiveness and avoidance, during the biennium beginning July 1, 1997, and ending
2 June 30, 1999.

3 **SECTION 31. LEGISLATIVE COUNCIL STUDY - WELFARE REFORM**

4 **IMPLEMENTATION - DEPARTMENT OF HUMAN SERVICES REPORTING.** The legislative
5 council shall consider studying the monitoring of North Dakota's welfare reform implementation
6 efforts to determine the effectiveness of welfare reform during the 1997-98 interim. The
7 department of human services and persons or parties conducting the review shall periodically
8 report to the legislative council, or its designee, regarding the evaluation of welfare reform
9 during the 1997-98 interim.

10 **SECTION 32. LEGISLATIVE COUNCIL STUDY - BASIC CARE RATE**

11 **EQUALIZATION.** The legislative council shall consider studying basic care rate equalization,
12 including the cost impacts to the state and private pay residents during the 1997-98 interim.

13 **SECTION 33. LEGISLATIVE INTENT - OPERATING MARGIN - BASIC CARE**

14 **RATES.** It is the intent of the legislative assembly that the rates set for basic care facilities
15 under subsection 3 of section 50-24.5-02 during the 1997-99 biennium include an operating
16 margin at a total cost of \$104,690, or so much thereof as may be necessary, appropriated
17 within subdivision 2 of section 1 of this Act. The operating margin must be based on two
18 percent of actual direct care costs and a limit rate set to produce such results.

19 **SECTION 34. LEGISLATIVE COUNCIL STUDY - HUMAN SERVICE CENTER**

20 **BLOCK GRANTS.** If the legislative council studies the department of human services pursuant
21 to Senate Concurrent Resolution No. 3042, approved by the fifty-fifth legislative assembly,
22 during the 1997-98 interim, the study should review the block grant method of appropriating
23 funds to regional human service centers, including incentives, accountability, and budgeting
24 processes.

25 **SECTION 35. LEGISLATIVE INTENT - CHILD SUPPORT EMPLOYEES.** It is the

26 intent of the legislative assembly that the eleven full-time equivalent child support positions
27 added by the fifty-fifth legislative assembly for the department of human services are authorized
28 only for the biennium beginning July 1, 1997, and ending June 30, 1999, and that if the
29 department requests the full-time equivalent authorization and related funding for any of these
30 positions for the 1999-2001 biennium, the request must be specifically identified as a budget
31 change in the department's 1999-2001 biennium budget request.

1 **SECTION 36. EMERGENCY.** The appropriation contained in subdivision 4 of section 1
2 of this Act for the state hospital includes \$1,295,000 of other funds for remodeling of state
3 hospital buildings to accommodate the relocation of patients from buildings to be sold to the
4 department of corrections and rehabilitation, which is declared to be an emergency measure
5 and those funds are available immediately upon filing of this Act with the secretary of state.
6 Sections 12, 17, 18, and 25 of this Act are declared to be an emergency measure.