

Introduced by

Legislative Council

(Budget Committee on Long-Term Care)

1 A BILL for an Act to amend and reenact section 23-09.3-01.1 of the North Dakota Century
2 Code, relating to a moratorium on additional basic care facility bed capacity.

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

4 **SECTION 1. AMENDMENT.** Section 23-09.3-01.1 of the 1997 Supplement to the
5 North Dakota Century Code is amended and reenacted as follows:

6 **23-09.3-01.1. Moratorium on expansion of basic care bed capacity.**

- 7 1. Except when existing beds are converted for use by the alzheimer's and related
8 dementia population under the projects provided for in section 50-06-14.4, the
9 ~~state~~ department of ~~health~~ may not issue a license under this chapter for any
10 additional bed capacity above the state's gross licensed capacity of one thousand
11 four hundred seventy-one beds, adjusted by any reduction in beds before July 31,
12 ~~1997~~ 1999, during the period between August 1, ~~1997~~ 1999, and July 31, ~~1999~~
13 2001. Transfers of existing beds from one municipality to another municipality
14 must be approved if the ~~department of health~~ licensing requirements are met,
15 during the period August 1, ~~1997~~ 1999, to July 31, ~~1999~~ 2001, only to the extent
16 that for each bed transfer approved the total number of licensed beds in the state
17 is reduced by the same number transferred.
- 18 2. Notwithstanding subsection 1, before August 1, 2001, the department may issue a
19 license for up to ten beds in a single basic care facility which have been converted
20 on a one-to-one basis from long-term care or basic care beds for use by the
21 traumatic brain-injured population. The facility must be located in planning region
22 one, two, seven, or eight of the governor's executive order 1978-12 dated
23 October 5, 1978.