## FIRST ENGROSSMENT

Fifty-seventh Legislative Assembly of North Dakota

## ENGROSSED HOUSE BILL NO. 1385

Introduced by

3

Representative Delzer

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

## BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

- SECTION 1. AMENDMENT. Section 50-06-06.13 of the North Dakota Century Code is amended and reenacted as follows:
- 6 50-06-06.13. Treatment services for children with serious emotional disorders.
- 7 The department shall establish in all human service regions a program to provide out-of-home
- 8 treatment services for a medicaid-eligible child with a serious emotional disorder. If the
- 9 <u>department proposes to place</u> a child is placed in an out-of-home treatment program
- 10 established under this section, without the consent of the child's parent or legal guardian, the
- 11 juvenile court must make a judicial determination as to whether the proposed placement is in
- 12 the best interests of the child. The department may not require a parent or legal guardian to
- 13 transfer legal custody of the child in order to have the child placed in an out-of-home treatment
- 14 program when the sole reason for the placement is the need to obtain services for the child's
- 15 emotional or behavioral problems.