

**HOUSE BILL NO. 1488**

Introduced by

Representatives Kreidt, Nelson, Pollert, Price

Senator J. Lee

1 A BILL for an Act to amend and reenact section 23-09.3-04 of the North Dakota Century Code,  
2 relating to state department of health surveys of basic care facilities.

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

4 **SECTION 1. AMENDMENT.** Section 23-09.3-04 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **23-09.3-04. Department to establish standards - Licensing - Inspection - Survey -**  
7 **Prosecute violations.** ~~It is the duty of the~~ The department to shall establish standards for  
8 basic care facilities. The department shall inspect all places and grant annual licenses to basic  
9 care facilities as conform to the standards established and comply with the rules prescribed, as  
10 provided in this chapter. The department shall implement a survey process for basic care  
11 facilities which for purposes of the life safety portions of the survey, all surveys must be  
12 announced; which for purposes of the health portions of the survey, half of the surveys must be  
13 announced; and which for purposes of complaints related to health and life safety, all surveys  
14 must be unannounced. The department shall prosecute all violations of this chapter.