

HOUSE BILL NO. 1482

Introduced by

Representatives Koppelman, Kreidt, Svedjan, Thoreson

Senators Dever, Warner

1 A BILL for an Act to create and enact a new section to chapter 12-47 of the North Dakota
2 Century Code, relating to health care for chronically or terminally ill offenders.

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

4 **SECTION 1.** A new section to chapter 12-47 of the North Dakota Century Code is
5 created and enacted as follows:

6 **Definitions - Health care for chronically or terminally ill offenders - Notice to**
7 **health care facility.**

8 1. As used in this section:

9 a. "Chronically ill" has the same meaning as in section 26.1-33.2-01.

10 b. "Department" means the department of corrections and rehabilitation.

11 c. "Health care facility" means an assisted living facility as defined in section
12 23-09-01, a basic care facility as defined in section 23-09.3-01, or a nursing
13 home as defined in section 23-30-01, except that transitional care units and
14 other long-term care beds owned or operated on the premises of acute care
15 hospitals or critical care hospitals are not health care facilities for the purpose
16 of this section.

17 d. "Terminally ill" has the same meaning as in section 26.1-33.2-01.

18 2. If an offender is to be given an early release, pardon, or parole due to a chronic or
19 terminal illness for admission as a resident of a health care facility due to the
20 chronic or terminal illness, at least fifteen days before the offender's admission as
21 a resident of a health care facility the department shall provide written notice to the
22 administrator of the facility, stating:

23 a. The offense for which the offender was convicted and a description of the
24 actual offense;

- 1 b. The offender's status with the department; and
- 2 c. That the information provided by the department regarding the offender must
- 3 be provided to employees of the facility no later than ten days before the
- 4 offender's admission to the facility.
- 5 3. a. No later than ten days before the offender's admission to the facility, the
- 6 administrator of the facility shall provide notice to each resident of the facility
- 7 or the resident's guardians that a convicted felon is being admitted to the
- 8 facility.
- 9 b. The administrator of the facility shall advise potential residents or their
- 10 guardians of current residents of the facility who were admitted under
- 11 subsection 2.