

**SENATE CONCURRENT RESOLUTION NO. 4025**

Introduced by

Senator Mathern

Representative Myxter

1 A concurrent resolution directing the Legislative Council to study the feasibility and desirability  
2 of transferring the facilities and property of the State Hospital from the Department of Human  
3 Services to the Department of Corrections and Rehabilitation and the Department of Human  
4 Services contracting with community hospitals for treatment services.

5 **WHEREAS**, the State Hospital in Jamestown is provided for under Sections 12 and 13  
6 of Article IX of the Constitution of North Dakota; and

7 **WHEREAS**, North Dakota Century Code Section 25-02-03 identifies the State Hospital  
8 as an institution serving specialized populations of the mentally ill, including persons suffering  
9 from drug addiction or alcoholism, and is one component of the North Dakota mental health  
10 delivery system; and

11 **WHEREAS**, North Dakota Century Code Section 50-06-06.5 directs the Department of  
12 Human Services to develop a plan for an integrated, multidisciplinary continuum of services for  
13 individuals with chronic mental illness which must provide that an individual requiring treatment  
14 be submitted to the least restrictive available conditions necessary to achieve the purposes of  
15 treatment; and

16 **WHEREAS**, a majority of the individuals who are incarcerated have a mental health  
17 diagnosis or are chemically dependent; and

18 **WHEREAS**, the Department of Human Services' plan for services for individuals with  
19 mental illness and individuals addicted to alcohol or other drugs should reflect the preference  
20 for treating individuals in or near the individuals' home community;

21 **NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE**  
22 **HOUSE OF REPRESENTATIVES CONCURRING THEREIN:**

23 That the Legislative Council study the feasibility and desirability of transferring the  
24 facilities and property of the State Hospital from the Department of Human Services to the

1 Department of Corrections and Rehabilitation and the Department of Human Services  
2 contracting with community hospitals for treatment services; and

3 **BE IT FURTHER RESOLVED**, that the Legislative Council include as members of the  
4 committee conducting the study a public employee representing the employees of the State  
5 Hospital and representatives of the North Dakota Psychiatric Society, North Dakota Consumer  
6 and Family Network, Mental Health America of North Dakota, and the Federation of Families for  
7 Children's Mental Health; and

8 **BE IT FURTHER RESOLVED**, that the study include consideration of the voluntary  
9 transfer of any employees from the State Hospital to the Department of Corrections and  
10 Rehabilitation for the treatment of mental health and addiction issues of inmates or to other  
11 positions within the Department of Human Services; and

12 **BE IT FURTHER RESOLVED**, that the study address the feasibility and desirability of  
13 the Department of Human Services entering contracts with community hospitals for the  
14 treatment of individuals with mental illness and chemical dependency; and

15 **BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and  
16 recommendations, together with any legislation required to implement the recommendations, to  
17 the Sixty-second Legislative Assembly.