

**HOUSE BILL NO. 1126**

Introduced by

Representative Weisz

Senator J. Lee

1 A BILL for an Act to amend and reenact section 23-09.3-08.1 of the North Dakota Century  
2 Code, relating to basic care facility end-of-life services.

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

4 **SECTION 1. AMENDMENT.** Section 23-09.3-08.1 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **23-09.3-08.1. Admission of residents to basic care facility - Restrictions - Exception.**

7 1. A basic care facility may not admit and retain ~~only~~ an individual ~~for whom~~ unless the  
8 facility:

9 a. Facility provides, directly or through contract, appropriate services within the  
10 facility to attain or maintain the individual at the individual's highest practicable  
11 level of functioning. ~~A basic care facility may admit or retain only an individual~~  
12 ~~whose condition; and~~

13 b. Condition and abilities of that individual are consistent with the national fire  
14 protection association 101 life safety code requirements.

15 2. Notwithstanding contrary provisions in subsection 1, a basic care facility may admit  
16 and retain an individual in need of end-of-life services if the facility wraps around the  
17 individual's family volunteer and staff services to support the individual through end of  
18 life. The facility may contract with a hospice agency or utilize volunteer and family  
19 support, or both, to meet the needs of the individual.