

HOUSE BILL NO. 1103

Introduced by

Human Services Committee

(At the request of the Department of Human Services)

1 A BILL for an Act to create and enact two new sections to chapter 50-31 of the North Dakota
2 Century Code, relating to licensure of an opioid treatment medication unit and fees; and to
3 amend and reenact section 50-31-01 and subsection 1 of section 50-31-05 of the North Dakota
4 Century Code, relating to the definition of medication unit and the licensure of substance abuse
5 treatment programs.

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

7 **SECTION 1. AMENDMENT.** Section 50-31-01 of the North Dakota Century Code is
8 amended and reenacted as follows:

9 **50-31-01. Definitions.**

- 10 1. "Department" means the department of human services.
- 11 2. "Medication unit" means a facility established as part of, but geographically separate
12 from, an opioid treatment program, from which a licensed practitioner dispenses or
13 administers an opioid treatment medication or collects samples for drug testing or
14 analysis.
- 15 3. "Opioid treatment program" means a program through which medication is dispensed
16 in the treatment of opioid addiction.

17 **SECTION 2. AMENDMENT.** Subsection 1 of section 50-31-05 of the North Dakota Century
18 Code is amended and reenacted as follows:

- 19 1. The department is ~~authorized to~~ may issue licenses to operate substance abuse
20 treatment programs, for a period of ~~two~~ three years, which are found to comply with the
21 provisions of this chapter and rules adopted by the department.

22 **SECTION 3.** A new section to chapter 50-31 of the North Dakota Century Code is created
23 and enacted as follows:

1 **Opioid treatment medication unit - Licensure required - Rules.**

2 1. A medication unit may not operate in this state, unless the unit operates under the
3 license of an opioid treatment program and holds:

4 a. A separate registration from the United States department of justice drug
5 enforcement administration; and

6 b. A medication unit license under the department.

7 2. The department may license a medication unit. A separate license is required for each
8 location at which a medication unit is operated under this section.

9 3. The department shall adopt rules relating to licensing and monitoring a medication
10 unit, including rules for:

11 a. Standards for approval and maintenance of licensure;

12 b. Assessment of need for a medication unit in the proposed location, including
13 community engagement; and

14 c. Standards of patient care.

15 **SECTION 4.** A new section to chapter 50-31 of the North Dakota Century Code is created
16 and enacted as follows:

17 **Fees - Rules.**

18 An applicant for licensure under this chapter shall submit a nonrefundable fee with the
19 application. The department shall establish fees in amounts necessary to compensate the
20 department for administration and enforcement of this chapter. The department shall adopt rules
21 as necessary to implement this section. All fees collected under this section must be paid to the
22 department and must be used to defray the cost of administering and enforcing this chapter.