



ACUTE PSYCHIATRIC TREATMENT COMMITTEE

Tuesday, October 4, 2022

Prairie St. John's Hospital, St. Genevieve's Place
390 Sixth Avenue South
Fargo, North Dakota

Representative Jon O. Nelson, Chairman, called the meeting to order at 9:06 a.m.

Members present: Representatives Jon O. Nelson, Emily O'Brien, Randy A. Schobinger, Michelle Strinden; Senators Kyle Davison, Dick Dever, Kathy Hogan, Tim Mathern

Members absent: None

Others present: Senator Judy Lee, West Fargo
See [Appendix A](#) for additional persons present.

It was moved by Representative O'Brien, seconded by Senator Mathern, and carried on a voice vote that the minutes of the July 28, 2022, meeting be approved as distributed.

ACUTE PSYCHIATRIC HOSPITALIZATION AND RESIDENTIAL CARE STUDY

Prairie St. John's Hospital

Mr. Jeff Herman, Group Chief Executive Officer, Prairie St. John's Hospital, presented information ([Appendix B](#)) regarding services provided at Prairie St. John's Hospital and the cost of building a new hospital. He noted:

- Services provided at Prairie St. John's Hospital include inpatient hospitalization services, day programs and partial hospitalization programs for all ages, and intensive outpatient services for adults.
- The new 103,000 square foot hospital facility is scheduled to open in January 2023 and is projected to cost \$46.5 million.
- The new facility will increase bed capacity from 110 to 128 beds, allowing Prairie St. John's Hospital to offer electroconvulsive therapy and medication-assisted treatment services.

Altru Health System

Mr. Todd Forkel, Chief Executive Officer, and Dr. Josh Deere, President, Altru Health System, presented information ([Appendix C](#)) regarding the organization's plan to expand inpatient behavioral health services. They noted Altru Health System:

- Partnered with Universal Health Services, Inc., to improve behavioral health services in Northeast North Dakota with a goal of expanding bed capacity in Grand Forks by 40 to 50 beds, resulting in 63 to 73 total beds.
- Is focusing on increasing the use of telehealth services for mental health services and partnering with critical access hospitals to support crisis stabilization units.
- Encourages the Legislative Assembly to seek an institutions for mental disease waiver to allow Altru Health System to expand its facilities and suggests the Legislative Assembly appropriate \$10 million to \$15 million to provide 50 percent of the cost of opening an inpatient psychiatric treatment facility in Grand Forks.

University of North Dakota School of Medicine and Health Sciences

Dr. Joshua Wynne, Vice President for Health Affairs and Dean of the School of Medicine and Health Sciences, University of North Dakota, presented information ([Appendix D](#)) regarding the process used for building the new medical school. He noted:

- An independent advisory council was formed to advise the Legislative Assembly and citizens on strategies and programs at the medical school.
- An architect was hired to analyze the proposed student utilization of a new medical school and the architectural analysis was included in a study conducted by the 2011-12 interim Health Services Committee.
- The 2013 Legislative Assembly appropriated \$124 million to build the new school.
- Key components of the process of building a new medical school included gathering extensive data to be used by an independent advisory council to form a plan and create multiple options for legislative consideration.

Mr. Todd Mepp, JLG Architects, presented information regarding JLG Architects' involvement in building the new medical school and the process of building new facilities.

Comments by Interested Persons

Mr. Tim Mahoney, Mayor, and Mr. David Zibolski, Chief of Police, City of Fargo, presented information ([Appendix E](#)) regarding behavioral health services provided to and needs of citizens of Fargo.

Ms. Arlette Preston, City Commissioner, City of Fargo, presented information ([Appendix F](#)) regarding behavioral health service needs of citizens of Fargo.

Mr. Ty Hegland, President and Chief Executive Officer, ShareHouse, presented information regarding workforce needs in the state to provide behavioral health services.

Ms. Siobhan Deppa, Vice President, Consumer Family Network, presented information regarding support service needs of citizens of Fargo.

Committee Discussion

Mr. Levi Kinnischtzke, Senior Fiscal Analyst, Legislative Council, presented concurrent resolution drafts relating to terminology describing public institutions [[23.3015.01000](#)] and the State Hospital [[23.3016.01000](#)].

Senator Mathern presented a concurrent resolution draft [[23.3014.01000](#)] relating to the State Hospital and terminology.

It was moved by Senator Davison, seconded by Representative Strinden, and carried on a roll call vote that concurrent resolution draft [[23.3015.01000](#)], relating to terminology describing public institutions be approved and recommended to the Legislative Management. Representatives Nelson, O'Brien, Schobinger, and Strinden and Senators Davison, Dever, Hogan, and Mathern voted "aye." No negative votes were cast.

Senator Mathern presented a bill draft [[23.0201.01000](#)] relating to a legislative management study regarding the implementation of behavioral health and acute psychiatric treatment recommendations.

It was moved by Senator Mathern, seconded by Senator Hogan, and carried on a roll call vote that bill draft [[23.0201.01000](#)] relating to a Legislative Management study regarding the implementation of behavioral health and acute psychiatric treatment recommendations be drafted for the committee in a new bill draft and that the new bill draft be approved and recommended to the Legislative Management. Representatives Nelson, O'Brien, and Strinden and Senators Davison, Dever, Hogan, and Mathern voted "aye." Representative Schobinger voted "nay."

Senator Mathern presented a bill draft [[23.0184.02000](#)] relating to the demolition of State Hospital buildings.

It was moved by Senator Mathern, seconded by Senator Hogan, and carried on a roll call vote that bill draft [[23.0184.02000](#)], relating to the demolition of State Hospital buildings be drafted for the committee in a new bill draft and that the new bill draft be approved and recommended to the Legislative Management. Representatives Nelson, O'Brien, Schobinger, and Strinden and Senators Davison, Dever, Hogan, and Mathern voted "aye." No negative votes were cast.

IMPLEMENTATION OF EXPANDED BEHAVIORAL HEALTH SERVICES STUDY

Department of Health and Human Services

Behavioral Health Bed Management System

Dr. Rosalie Etherington, Chief Clinics Officer/State Hospital Superintendent, Department of Health and Human Services, presented information ([Appendix G](#)) regarding the status of behavioral health bed management system implementation. She noted:

- The Department of Health and Human Services (DHHS) worked with the Information Technology Department during fiscal year 2022 to identify the project scope and goals, establish business and technical requirements, and analyze the ability of the bed management system to interface with the North Dakota health information network.
- DHHS applied for funding for the bed management system from the Centers for Medicare and Medicaid Services (CMS) on September 9, 2022, and the estimated time frame for CMS application review is November or December 2022.
- DHHS intends to issue a request for proposal in November 2022, choose a vendor in December 2022, negotiate the vendor contract in January 2023, seek CMS approval of the contract in March 2023, begin the project in May 2023, and complete the project in January 2024.

In response to a question from a committee member, Dr. Etherington noted although the estimated project completion date is later than originally estimated, DHHS does not anticipate requesting additional funding for the project from the 2023 Legislative Assembly if DHHS is awarded federal funding from CMS.

World Health Organization Disability Assessment Schedule

Ms. Monica Haugen, Behavioral Health Administrator, Department of Health and Human Services, presented information ([Appendix H](#)) regarding the number of individuals who became eligible for Medicaid 1915(i) services after the World Health Organization Disability Assessment Schedule (WHODAS) score requirement was decreased. She noted:

- CMS authorized DHHS to decrease the WHODAS score requirement from 50 to 25 beginning in January 2022; and
- From January 1, 2022, through September 25, 2022, 132 individuals with WHODAS scores of 25 to 49 were eligible for and received Medicaid 1915(i) services compared to 137 individuals with WHODAS scores of 50 or greater receiving services during this time period.

Mental Health Registry

Ms. Heather Brandt, Community Connect Manager, Department of Health and Human Services, presented information ([Appendix I](#)) regarding the status of the mental health registry, including cooperation and participation from providers, how the registry will integrate with the 211 crisis system, and when the registry will be available to the public. She noted:

- Senate Bill No. 2161 (2021) created North Dakota Century Code Section 50-06-06.15 and requires DHHS to create a registry of mental health programs in the state and for DHHS to make the registry available on the department's website.
- On July 18, 2022, DHHS notified all licensed mental health providers, including social workers, marriage and family therapists, psychologists, psychiatrists, counselors, and advance practice registered mental health nurses, of the requirement to register for the mental health registry.
- The mental health registry became available for citizen use on October 3, 2022, and consists of 132 registered organizations operating at 161 locations, of which 155 locations provide adult services and 98 provide children and adolescent services.
- Citizens can use the mental health registry to search by program name, city, county, telehealth options, adult services, or children services.
- The registry will provide a list and location map of providers matching the criteria searched.

Human Services Research Institute

Dr. Bevin Croft, Research Associate, Human Services Research Institute, presented information ([Appendix J](#)) regarding an update of the implementation of recommendations from the 2018 Human Services Research Institute (HSRI) report. She noted:

- HSRI recently selected a contractor with experience working with behavioral health workforce to facilitate a behavioral health summit in September 2022 where 65 attendees from 39 organizations reviewed HSRI report recommendation 7, also referred to as "aims," related to engagement in targeted efforts to recruit and retain a qualified and competent behavioral health workforce.
- Aim 6, related to continuing the implementation and refinement of criminal justice strategies, is approximately 63 percent complete or in progress while Aim 11, related to partnering with tribal nations to increase health equity for American Indian populations, is 100 percent in progress.
- Aim 8 related to expanding telebehavioral health services is being updated due to telework changes resulting from the COVID-19 pandemic.

Comments by Interested Persons

Ms. Jane Eliassen, Director, Harm Reduction Center, Fargo, presented information regarding behavioral health and crisis intervention service needs of citizens of Fargo.

Committee Discussion

Senator Mathern presented a bill draft [[23.0185.02000](#)] relating to regional human service centers entering contracts with private behavioral health providers.

Senator Mathern presented a bill draft [[23.0186.02000](#)] relating to requiring human service centers to become certified community behavioral health clinics.

Ms. Pamela Sagness, Director, Behavioral Health Division, Department of Health and Human Services, noted three human service centers applied to become certified community behavioral health clinics and although the applications were not approved by the federal government, the centers plan to resubmit the applications.

In response to a question from a committee member, Ms. Sagness noted if the federal government does not approve applications submitted by the human service centers, the state could convert the centers to community behavioral health clinics without assistance from the federal government if state funding was provided.

It was moved by Senator Mathern, seconded by Senator Hogan, and carried on a roll call vote that bill draft [[23.0186.02000](#)], relating to requiring human service centers to become certified community behavioral health clinics, be revised to remove "Any human service" on line 8 and remove lines 9 through 14, and a new bill draft as revised be approved and recommended to the Legislative Management. Representatives Nelson, O'Brien, Schobinger, and Strinden and Senators Davison, Dever, Hogan, and Mathern voted "aye." No negative votes were cast.

MENTAL AND BEHAVIORAL HEALTH SERVICES OF OCCUPATIONAL BOARDS STUDY

Department of Health and Human Services

Ms. Sagness presented information ([Appendix K](#)) regarding the status of workgroups formed to address recommendations included in the Renee Schulte Consulting, LLC, final report. She noted:

- The behavioral health services in critical access hospitals workgroup has met to discuss recommendations in the Renee Schulte Consulting, LLC, final report and identify barriers for critical access hospitals to provide behavioral health services.
- The behavioral health services in critical access hospitals workgroup identified transportation to and from critical access hospitals as a barrier for individuals to receive behavioral health services.
- HSRI hosted two meetings of the geropsychiatric services workgroup to discuss service needs and concerns of individuals with significant behavioral health, aging, and disability needs.
- Most stakeholders in the geropsychiatric services workgroup were in support of the Renee Schulte Consulting, LLC, recommendation to create separate regulations and licensing standards for populations with complex needs and were in support of changing the term "geropsychiatric" to reflect that adults younger than 55 are provided these services.
- The next steps of the geropsychiatric services workgroup include evaluating best practices of other states regarding needs of different age population groups and the creation of separate regulations and licensing standards.

Department of Commerce

Ms. Janna Pastir, Deputy Director, Workforce Development Division, Department of Commerce, presented information ([Appendix L](#)) regarding the department's collaboration with the DHHS behavioral health workgroups ([Appendix M](#)) and an update of the department's workforce survey results ([Appendix N](#)). She noted:

- The Workforce Development Council and its occupational licensure reform subcommittee distributed two surveys to licensing boards in 2022, of which 35 of 50 occupational licensing boards and commissions responded.
- The survey revealed the behavioral health-related occupational boards average time to process licensure applications during 2021 ranged from 1 day to 4 months.

Board of Addiction Counseling Examiners

Mr. Kurt Snyder, Chairman, Board of Addiction Counseling Examiners, distributed information ([Appendix O](#)) regarding the board's application review process and reciprocity requirements from individuals licensed in Canada applying for licensure in North Dakota.

North Dakota Board of Social Work Examiners

Mr. Cory Pedersen, Consumer Board Member, North Dakota Board of Social Work Examiners, presented information ([Appendix P](#)) regarding potential federal legislation providing reciprocity among licensed social workers in participating states and whether the board would support North Dakota's participation. He noted the board has not taken a position on any potential social work licensure compact legislation but the board supports reasonable efforts to remove undue barriers to licensure.

Committee Discussion

Senator Mathern presented a bill draft [[23.0187.01000](#)] relating to the North Dakota Board of Social Work Examiners' participating in the development of a social work licensure compact.

Senator Mathern presented a bill draft [[23.0188.02000](#)] relating to occupational board information technology services and compensation of occupational board members.

Senator Mathern presented a bill draft [[23.0110.02000](#)] relating to the student loan repayment program.

OTHER

The committee toured Prairie St. John's Hospital grounds and facilities, including existing facilities and the new facility scheduled to be completed in January 2023.

It was moved by Senator Dever, seconded by Representative O'Brien, and carried on a voice vote that the Chairman and the Legislative Council staff be requested to prepare a report and the bill and resolution drafts recommended by the committee and to present the report and recommended bill and resolution drafts to the Legislative Management.

It was moved by Senator Dever, seconded by Representative O'Brien, and carried on a voice vote that the committee be adjourned sine die.

No further business appearing, Chairman Nelson adjourned the committee sine die at 4:15 p.m.

Levi Kinnischtzke
Senior Fiscal Analyst

ATTACH:16