Testimony Prepared for the
House Human Services
February 9, 2021
By: Donnell Preskey, NDACo

RE: HB 1470 – Continuation of behavior health care for inmates

Good morning Mr. Chairman and committee members, I'm Donnell Preskey with the North Dakota Association of Counties. One of my roles at NDACo is serving as the executive director for the ND Sheriffs & Deputies Association.

We stand in support of the **concept** and **study** included in HB 1470. But we have several concerns we need to make you aware of – which makes it difficult to say we are 100% in favor of this bill, and on the flip side, we can't say we oppose the bill either.

Behavioral health services are much needed in our jails and this bill allows for an inmate to continue to receive those services if they have already been in the care of a behavioral health provider. This is in the best interest of those inmates, so they can continue their progress. Our sheriffs and correctional staff recognize the great need for these services for individuals in our jails along with the limited resources we have at the local level to address these acute needs.

Many of the questions/concerns from our counties revolve around cost. As you may know, for individuals who are on Medicaid, once they are booked into jail, Medicaid coverage for that individual is suspended. This means, that inmate's medical or health care costs are the county's responsibility. There has been movement on the federal level in addressing this issue. NDACo has worked closely with the National Association of Counties on legislation and we have made our congressional members aware of it as well. As it stands now, this bill as written, would lead to increased costs to the county in providing this service. Our county jails are limited in space and they would more than likely need additional funding to create a space to provide these services as well as funding for the technology investments to support these services.

We absolutely support Section 2 of the bill, and highly encourage the legislature to study the behavioral health need of incarcerated adults. This most definitely should include how these services are delivered and accessed. Some of our larger county jails are already providing telehealth services and there are many more options using additional technology and equipment.