



North Dakota House of Representatives

State Capitol
600 East Boulevard Avenue
Bismarck, ND 58505-0360

Representative

Ruth Buffalo

District 27

P.O. Box 9763

Fargo, ND 58106-9763

C: 701-491-8175

rbuffalo@nd.gov

Committees:

Agriculture

Judiciary

February 9, 2021

Chair Weisz and House Human Services Committee,

My name is Ruth Buffalo and I represent District 27 in south Fargo. Individuals with behavioral health needs are overrepresented in jails and prisons across the United States. HB 1470 seeks to provide adequate access to behavioral health services in jails through providing a continuation of care by public behavioral health providers to incarcerated individuals; and to provide for a legislative management study regarding the behavioral health needs of incarcerated individuals.

“Individuals who need access to quality community-based care may be arrested instead. In many communities, people with behavioral health disorders cannot access adequate community-based services and find themselves channeled into the justice system.”¹

HB 1470 will provide continuation of behavioral health services for individuals who are incarcerated. Community-based behavioral health providers play an important role in serving individuals with behavioral health needs and ensuring recovery. Research shows when individuals are provided the necessary services and behavioral health support system, they are more likely to recover.

Here are additional amendments to the bill language:

A correctional facility shall make reasonable efforts to allow a behavioral health care provider to continue to provide treatment to an individual who is an inmate if:

- 1) The inmate consents; 2) Treatment is medically necessary; and 3) The inmate was actively receiving treatment from the behavioral health care provider before incarceration.

A public behavioral health care provider administering treatment to an inmate before incarceration shall continue administering treatment to the inmate during incarceration at a correctional facility in accordance with the terms and conditions set forth in subdivision a and upon permission from the correctional facility to administer treatment.

Please give HB 1470 a Do Pass Recommendation. I will stand for any questions. Thank you.

¹ Substance Abuse and Mental Health Services Administration: Principles of Community-based Behavioral Health Services for Justice-involved Individuals: A Research-based Guide. HHS Publication No. SMA19-5097. Rockville, MD: Office of Policy, Planning, and Innovation. Substance Abuse and Mental Health Services Administration, 2019.