

**FIRST ENGROSSMENT
with House Amendments
ENGROSSED SENATE BILL NO. 2276**

Introduced by

Senators Cleary, Dever, Lee

1 A BILL for an Act to create and enact a new section to chapter 50-06 of the North Dakota
2 Century Code, relating to a cross-disability advisory council; and to repeal section 50-06-32 of
3 the North Dakota Century Code, relating to the autism spectrum disorder task force.

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

5 **SECTION 1.** A new section to chapter 50-06 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Cross-disability advisory council - Appointment - Duties.**

- 8 1. The cross-disability advisory council shall participate with and provide feedback to the
9 department regarding the implementation, planning, and design of the cross-disability
10 children's waiver, level of care reform for the comprehensive developmental disabilities
11 Medicaid home and community-based waiver, and a service option that will allow
12 payment to a legally responsible individual who provides extraordinary care to an
13 eligible individual through the Medicaid 1915(c) waivers. This subsection does not
14 apply to the Medicaid 1915(c) waiver for home and community-based services, aged
15 and disabled.
- 16 2. The department shall contract with a qualified, independent third party to facilitate and
17 provide support services to the council. The contracted facilitator shall appoint the
18 cross-disability advisory council members in accordance with subsection 3 and
19 establish the length of member terms and the structure of the cross-disability advisory
20 council. A representative from the contracted facilitator shall serve as the presiding
21 officer of the advisory council.
- 22 3. The cross-disability advisory council consists of up to fifteen voting members. A
23 majority of the members of the council must be family members of individuals with a
24 disability, or must be individuals with a disability, who receive Medicaid home and

1 community-based services. The remaining members of the council must be appointed
2 based on their professional subject matter expertise in or knowledge of the needs and
3 interests of individuals with disabilities. The council's membership must represent
4 different regions of the state and a broad range of disabilities that pertain to the
5 Medicaid home and community-based services. Upon request of the department, state
6 agency representatives shall participate with the cross-disability advisory council in a
7 nonvoting role.

8 4. The cross-disability advisory council shall meet at least quarterly and may appoint
9 subcommittees to address specific topics or disabilities, which may include autism,
10 traumatic brain injury, and fetal alcohol spectrum disorder. A majority of the voting
11 members of the council constitutes a quorum.

12 5. The cross-disability advisory council shall:

13 a. Discuss strategies to address gaps or needs regarding individuals with
14 disabilities and Medicaid home and community-based services, including
15 eligibility of legally responsible individuals;

16 b. Provide for the active participation of stakeholders, including consumers and
17 providers; and

18 c. Receive information from the department and its consultants.

19 6. The cross-disability advisory council members, excluding the contracted facilitator, are
20 entitled to reimbursement from the department for travel and lodging at the same rate
21 as provided for state officers and employees.

22 **SECTION 2. REPEAL.** Section 50-06-32 of the North Dakota Century Code is repealed.