



2023 SENATE BILL 2035

Senate Human Services Committee

Senator Judy Lee, Chairman

January 4, 2023

Chairman Lee and members of the Senate Human Services Committee, I am Melissa Hauer, General Counsel/VP, of the North Dakota Hospital Association (NDHA). I provide this testimony in support of Senate Bill 2035. We ask that you give this bill a **Do Pass** recommendation.

Hospitals support the funding of grants for indigent guardianship services and efforts to increase the reimbursement rate and number of corporate guardianships.

When a hospitalized patient is unable to make health care decisions for himself and he does not have anyone qualified to make decisions for him, the patient can unfortunately be left stranded in a hospital bed long after discharge should have happened. In a perfect world, the process of securing guardianship services for a vulnerable individual should only take a few days to a week. Currently, however, the process takes an average of 30-90 days. In some cases, it is much longer.

These situations present many challenges for the patient and the hospital. When the patient is ready for discharge, but is waiting for guardianship services, the bed is not available for another patient who needs it. While the patient remains in limbo, there is no one to instruct the hospital in care decisions. Hospitals cannot employ or choose guardians directly because the guardian could be viewed as lacking the necessary independence to make decisions, as required by law. They

must rely on the patient's family and friends or, if none are willing or able to serve, a corporate guardian, to initiate the process and serve.

By better funding indigent guardianship services and corporate guardianship services, SB 2035 addresses these barriers and takes the right step toward more efficiently connecting vulnerable patients to the services they need.

I would be happy to respond to any questions you may have. Thank you.

Respectfully Submitted,

Melissa Hauer, General Counsel/VP
North Dakota Hospital Association