

**FIRST ENGROSSMENT**

**ENGROSSED HOUSE BILL NO. 1252**

Introduced by

Representatives Dobervich, Brown, Davis, Finley-DeVille, Holle, Mitskog

Senators Marcellais, Schaible

1 A BILL for an Act to amend and reenact subsection 3 of section 50-24.1-40 of the North Dakota  
2 Century Code, relating to the tribal health care coordination fund.

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

4 **SECTION 1. AMENDMENT.** Subsection 3 of section 50-24.1-40 of the North Dakota  
5 Century Code is amended and reenacted as follows:

6 3. There is created in the state treasury a tribal health care coordination fund.

7 a. Moneys in the fund are appropriated to the department on a continuing basis for  
8 distribution to a tribal government in accordance with an agreement between the  
9 department and a tribal government. The agreement between the department  
10 and a tribal government must require the tribe to:

11 (1) Use the money distributed under this section for purposes related to the  
12 ten essential services of public ~~health~~health identified by the federal centers  
13 for disease control and prevention and the development or enhancement of  
14 community health representative programs or services; ~~however, through~~  
15 ~~June 30, 2025, no more than fifty percent, and thereafter, no more than~~  
16 ~~thirty-five percent, may be used for capital construction.~~

17 (2) Submit to the department annual reports detailing the use of the money  
18 distributed under this section.

19 (3) Submit to the department every two years an audit report, conducted by an  
20 independent licensed certified public accountant, of the tribal government  
21 use of the money distributed under this section. A tribal government may  
22 use money distributed under this section to pay for this audit report. At the

1                                   discretion of a tribal government, an audit may be conducted more often  
2                                   than every two years.

3           b.   The distribution of moneys from the fund to a tribal government must be in  
4                                   proportion to the federal funding received from care coordination agreement  
5                                   requests for services originating from within that tribal nation.

6           c.   At least annually, upon completion of any auditing and verification actions of the  
7                                   department, the department shall distribute moneys from the fund to the tribal  
8                                   government.

9           d.   If a tribal government fails to file with the department a timely annual report or  
10                                  audit report, the department shall withhold distribution of moneys from the fund to  
11                                  the tribal government until the report is filed.

12           e.   If an audit report or the department's review of the annual report finds a tribal  
13                                  government used moneys distributed from the fund for a purpose inconsistent  
14                                  with this section, the department shall withhold future distributions to that tribal  
15                                  government in an amount equal to the money used improperly. The department  
16                                  shall distribute money withheld from a tribal government under this subdivision if  
17                                  a future audit report indicates moneys distributed from the fund are used for  
18                                  purposes consistent with this section.