

**FISCAL NOTE**  
**SENATE BILL NO. 2399**  
**LC# 25.1375.01000**  
**02/03/2025**

**1 - State Fiscal Effect**

*Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2023-2025 Biennium		2025-2027 Biennium		2027-2029 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
<b>Revenues</b>						
<b>Expenditures</b>			\$1,200,000		\$1,200,000	
<b>Appropriations</b>			\$1,200,000		\$1,200,000	

**2 - County, City, School District, and Township Fiscal Effect**

*Identify the fiscal effect on the appropriate political subdivision.*

	2023-2025 Biennium	2025-2027 Biennium	2027-2029 Biennium
<b>Counties</b>			
<b>Cities</b>			
<b>School Districts</b>			
<b>Townships</b>			

**3 - Bill and Fiscal Impact Summary**

*Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

SB 2399 defines direct care costs and emergent costs for psychiatric residential treatment facilities in century code. It also creates reimbursement for emergent costs for psychiatric residential treatment facilities.

**4 - Fiscal Impact Sections Detail**

*Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Section 1 of SB 2399 creates a definition of direct care costs and emergent costs in century code. Direct care costs for psychiatric residential treatment facilities is already defined in N.D.A.C. 75-02-09, Ratesetting for Psychiatric Residential Treatment Facilities. N.D.A.C. 75-02-09-04(4)(d) already provides for a process for a rate increase for additional costs. Additionally, any cost that must be depreciated cannot be reimbursed in one lump sum. "Nonrecurring costs" identified in Subsection 1(b)(1) of Section 1 appear to reference costs that must be

depreciated.

Since there is already a process in Ratesetting for Psychiatric Residential Treatment Facilities for reimbursement of additional or "emergent" costs any additional reimbursement would be all general funds.

## 5 - Revenues Detail

*For information shown under state fiscal effect in 1 or 2, please explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

Not Applicable

## 6 - Expenditures Detail

*For information shown under state fiscal effect in 1 or 2, please explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

Section 1 of SB 2399 creates a definition of direct care costs and emergent costs in century code. Direct care costs for psychiatric residential treatment facilities is already defined in N.D.A.C. 75-02-09, Ratesetting for Psychiatric Residential Treatment Facilities. N.D.A.C. 75-02-09-04(4)(d) already provides for a process for a rate increase for additional costs. Additionally, any cost that must be depreciated cannot be reimbursed in one lump sum. "Nonrecurring costs" identified in Subsection 1(b)(1) of Section 1 appear to reference costs that must be depreciated.

There is already a process for a rate increase for additional costs in N.D.A.C. 75-02-09, any additional reimbursement will be all general funds. It is estimated that there could be up to \$600,000 in "emergent costs" requests annually.

The total projected costs related to SB 2399 for the 2025-27 biennium are as follows;  
Grants - Medical Assistance is \$1,200,000 of which, \$1,200,000 is General.

## 7 - Appropriations Detail

*For information shown under state fiscal effect in 1 or 2, please explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

For the 2025-2027 biennium, the Department of Health and Human Services would need appropriation increases to the base budget for HB 1012 in the following line item;  
Grants - Medical Assistance of \$1,200,000 of which, \$1,200,000 is General.

For the 2027-2029 biennium, the Department of Health and Human Services would need appropriation authority in the following line item;  
Grants - Medical Assistance line of \$1,200,000 of which, \$1,200,000 is General.

## Contact Information

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