

Proposed Amendment

1 **SECTION 1. AMENDMENT.** Section 50-24.5-02.3 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 **50-24.5-02.3. Basic care payment rates.**

4 1. The department shall determine limits for the care of residents of basic care facilities that
5 qualify as vendors of an aged, blind, and disabled persons program and for implementing
6 provisions of this chapter based on data demonstrating the most recent costs that must
7 be incurred for the care of residents in efficiently and economically operated basic care
8 facilities. The department shall determine the limits every four years by July first,
9 beginning with July 1, 2023.

10 2. The department shall establish the limits by using the median rates from the most recent
11 data available. The direct care limit must be the median plus eighteen percent. The
12 indirect care limit must be the median plus twelve percent.

13 3. For the rate year beginning July 1, 2023~~5~~, the department shall increase rates and limits
14 ~~three and one-half~~ four percent for inflation. For the rate year beginning July 1, 2024~~6~~,
15 the department shall increase rates and limits ~~three and one-half~~ percent for inflation.

16 4. The department shall provide a rate increase in the amount of five dollars per day for the
17 period beginning July 1, 2023~~5~~, and ending June 30, 2025~~7~~, after which the increase is
18 not effective. This rate increase may not be included in any calculation of inflation
19 increase.

20 5. Within the limits of legislative appropriations, the department shall establish an
21 uncompensated care expense of three hundred sixty-five days.

22 6. For the rate year beginning July 1, 2025, the department shall provide an operating
23 margin of three percent based on the lessor of the actual direct and indirect care

1 categories or the direct and indirect care limits established for the rate year plus the food,
2 utilities, and repairs and maintenance portions of the room and board rate all exclusive of
3 the adjustment factor.

4 **SECTION 2. APPROPRIATION.** There is appropriated out of any moneys in the general fund in the
5 state treasury, not otherwise appropriated, and from special funds derived from federal funds and other
6 income the sum of \$6,520,000, or so much of the sum as may be necessary, to North Dakota health
7 and human services for the purpose of basic care payment, for the biennium beginning July 1, 2025,
8 and ending June 30, 2027.