



Senate Appropriations - Human Resources Division

HB 1012

March 18, 2025

My name is Kirsten Dvorak, and I am the Executive Director of The Arc of North Dakota. For 65 years, our organization has been dedicated to promoting and protecting the human rights of individuals with intellectual and developmental disabilities (IDD). We have worked tirelessly to ensure that individuals with disabilities receive the inclusive services necessary to lead meaningful, independent lives within their communities.

One of our most significant achievements was addressing systemic issues in state-run facilities. A 16-year legal battle exposed severe overcrowding, neglect, and abuse, leading to necessary reforms in medical care, education, and humane treatment. This litigation revealed harmful practices, such as improper physical restraints due to inadequate staffing and resources. These hard-fought changes serve as a critical reminder that vigilance is essential to prevent a return to outdated, isolating methods. Awareness must translate into action and investment to build and maintain a robust support system.

We extend our gratitude to everyone who participated in Disability Awareness Day. However, awareness alone is insufficient—it must be backed by meaningful action and adequate funding. The need for developmental disability (DD) services continues to grow, with 8,410 individuals currently receiving DD program management services. This includes 3,413 children under three and 4,997 individuals aged three and older. Many individuals rely on 24-hour support to navigate their communities safely and engage meaningfully in society.

We strongly advocate increasing provider inflation funding from the proposed 1.5% to 4% in the first year and 3% in the second year. This increase is not just a budgetary figure—it is a critical investment in the 95.2% of the Developmental Disabilities (DD) budget that goes directly to providers. Adequate funding is essential for recruiting and retaining a strong workforce to ensure continuity and quality of care.

Additionally, we support the state's efforts to modernize and expand the State Hospital, ensuring comprehensive and accessible care for individuals with disabilities. However, we prioritize community-based solutions over institutional placements, particularly for youth.

We remain deeply concerned about involuntary discharges caused by staffing shortages and service limitations. Nine individuals were involuntarily discharged between July and December 2024, underscoring the urgent need for sustained investment in service capacity and crisis management solutions.

Despite ongoing collaboration through the Cross-Disability Advisory Council (CDAC), access to home and community-based services in North Dakota remains insufficient. Significant gaps persist, particularly in mental health services for children with Severe Mental Illness (SMI) and support for families with complex care needs. To address these challenges, we must refine the Level of Care criteria to ensure equitable access to services throughout a person's life.

The Arc of North Dakota strongly supports full funding for the CDAC, which has made significant progress in developing a new cross-disability waiver. This initiative fosters collaboration among stakeholders, families, and service providers. It builds upon legislative efforts such as SB 2256 (2021) and SB 2276 (2023), which aimed to streamline services and improve outcomes for children with disabilities.

A crucial aspect of the proposed waiver is paid family caregiving, recognizing families' essential role in providing care. A review by Alvarez and Marsal identified significant service gaps, particularly for children with social deficits, reinforcing the need for family-centered education and support. Proposed changes under SB 2113 will refine CDAC's mission by incorporating individuals with lived experience, ensuring that recommendations address service gaps with practical, equitable solutions.

Investing in these initiatives will strengthen services, promote inclusion, and support individuals with disabilities across North Dakota. We urge full funding for the CDAC and the Children's Waiver to uphold the dignity and rights of all North Dakotans.

Your commitment to adequately funding these critical initiatives is vital. Proactive investment will ensure that North Dakotans with disabilities can live with dignity, independence, and a high quality of life within their communities.

We appreciate your dedication to considering the needs of individuals with disabilities in your decision-making process. Your attention to these critical issues reflects your commitment to the well-being of all North Dakotans.

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