

TESTIMONY TO NORTH DAKOTA SENATE APPROPRIATIONS COMMITTEE

HUMAN RESOURCES DIVISION

March 26, 2025

Dear Chairman Dever and Honorable Members of the Subcommittee:

My name is Beverly Unrath, and I am the owner of Dakota Home Care, a provider of in-home pediatric and adult nursing services serving families across North Dakota. I am here to respectfully request your consideration of an important addition to **HB1012**—specifically, that the Department of Health and Human Services be directed to review and revise its new Private Duty Nursing (PDN) policy and practices to ensure compliance with **CMS (The Centers for Medicare & Medicaid Services)**, **EPSDT (Early and Periodic Screening, Diagnostic, and Treatment)** requirements and the **Olmstead Act**. I am deeply concerned that the current policy and practice does not align with these federal standards, placing medically fragile individuals and their families at risk of losing access to the care they need to remain safely at home.

North Dakota's Private Duty Nursing program is a critical lifeline for individuals who require ongoing, high-acuity nursing care to survive and thrive at home. These services are not optional—they are medically necessary and often life-sustaining. Under the revised policy, many families are experiencing reduced hours that do not reflect the true complexity of their loved one's care needs. This is happening despite clear federal guidance under **EPSDT**, which mandates that Medicaid cover all medically necessary services for children, and **The Olmstead Act**, which affirms the right of individuals with disabilities to receive care required in the least restrictive setting appropriate to their needs.

Without timely and comprehensive revision of this policy, we risk undermining the stability of home care services for some of our most vulnerable residents. Families are already making heartbreaking decisions—quitting jobs, going without sleep, or considering institutional care—not because it's what they want, but because it's the only option left. This not only contradicts federal protections but also carries a far greater cost to the state in the long run.

We urge the committee to amend HB1012 to require ND Medicaid to:

1. **Submit the revised PDN policy for independent review**, ensuring compliance with CMS, EPSDT and Olmstead standards.
2. **Engage stakeholders**, including families, providers, and advocacy organizations, in the revision process.
3. **Report findings and updates back to the Legislature**, ensuring transparency and accountability.

Thank you for your time and your service to the people of North Dakota. I would be honored to answer any questions or provide additional information as needed.