

SB 2036  
1-28-25

**Policy and admin**

FTE-\$240,000-106

- Would need to write admin code
- Would need to build certification process
- Would need to research best practice

Technology certification platform development and maintenance-\$300,000

1. Need to develop the certification process for the remediation provider and monitor. (Need appeal rights, legal representation from the AG's for any appeals, and pay the OAH – costs are factored into Legal's Budget).

Commented [PC1]: talk with Sarah O to see if this is enough

Commented [AJE2R1]: FY1 - the general funds total was \$4,580,000 and the federal funds was \$100,000 based on the current numbers as of 9/3. Thank you,

**Clinics, NDSH and LSTC**

Remediation FTE-\$215,000 x 8=\$1,720,000

Psychologist FTE-\$310,000 x3=\$930,000

Admin Support FTE-\$125,000x2=\$250,000

Training Material for programming, certification costs-\$100,000

Commented [PC3]: look up current to see if...

Commented [PC4]: so

1. HHS will need to hire and train remediation providers to provide remediation services for minors, remediation provider is required to submit reports to the court and to the tier 1a mental health professional, and remediation provider may recommend to the court and the tier 1a mental health professional that the remediation order be renewed beyond the initial 60 days. A remediation provider could be HHS staff or a private provider.
2. HHS would need to conduct forensic evaluations, draft and finalize reports, and file reports. This is currently being done at NDSH and LSTC. However, I strongly believe that with the law change the requests will increase, like what we have seen with the adult population.
3. HHS will need to use staff time to search for and obtain material/information for the forensic evaluator to write his or her report as the information is not being provided to the forensic evaluator. The proposed bill draft allows the forensic evaluator to raise the issue with the court, but this also takes staff time and money.
4. HHS also needs to account for the need to supplement the filed forensic examination report after it receives additional material. This will take additional time and resources.
5. HHS staff that conducted the examination might be required to attend the fitness to proceed hearing in person if any party objects to them appearing by electronic means, thus taking time away from conducting examinations and filing reports.

**Legal Division**

Would need to pay additional funds to the Office of Attorney General for legal services-\$22,500 (12 months)

Would need funds to pay OAH: \$10,000 (12 months)

Legal Division staff would need to review additional court orders (fitness, contempt, status) and create rules-\$5,000 for workload increase (12 months) and \$2,500 for publication costs for administrative rules.

**Children and Family Services/HSZ**

CHIP FTE-\$250,000 x 8 =\$2,000,000

Commented [PC5]: EH to see if thats reasonable

**Office of Attorney General**

Unknown if they would need an FTE or not.

The language used in the proposed draft states that the fitness to proceed examination shall be conducted in the least restricted environment. However, I suspect we will receive some court orders that order the individual to NDSH or LSTC, which will require an appeal or supervisory writ. Currently, we would not have the right to appeal (not a party to the action) unless we are held in contempt of court.

The forensic evaluators and the HSC treatment team (remediation provider) will need to have conversation and a plan regarding what services are available to a minor who is not fit to proceed. The draft is currently written to address "available services", so we need to all be on the same page as to what is available from the State.