

**PROPOSED AMENDMENTS TO REENGROSSED SENTATE BILL NO. 2113  
(THIRD ENGROSSMENT)**

**50-06-46. Cross-disability advisory council - Appointment - Duties. (Expired effective August 1, ~~2025~~2027)**

1. The cross-disability advisory council shall participate with and provide feedback to the department regarding the implementation, planning, and design of the cross-disability children's waiver, level of care reform for the comprehensive developmental disabilities Medicaid home and community-based waiver, and a service option that will allow payment to a legally responsible individual who provides extraordinary care to an eligible individual through the Medicaid 1915(c) waivers. This subsection does not apply to the Medicaid 1915(c) home and community-based services aged and disabled waivers.
2. The department shall contract with a qualified, independent third party to facilitate and provide support services to the council. The contracted facilitator and the department shall appoint the cross-disability advisory council members in accordance with subsection 3 and establish the length of member terms and the structure of the cross-disability advisory council. A representative from the contracted facilitator shall serve as the presiding officer of the advisory council.
3. The cross-disability advisory council consists of ~~up to~~ fifteen voting members. ~~A majority of the members of the council must be family members of individuals with a disability, or must be~~ who represent a broad range of disabilities and regions of the state. The members are:
  - a. Two individuals with a disability, who receive Medicaid home and community-based services. ~~The remaining members of the council must be appointed based on their professional subject matter expertise in or knowledge of the needs and interests of individuals with disabilities. The council's membership must represent different regions of the state and a broad range of disabilities that pertain to the Medicaid home and community-based services.;~~

- b. One individual with a developmental disability or who is Medicaid qualified, who does not receive Medicaid home or community-based services ;
- c. ~~Four~~Seven individuals ~~representing diverse organizations advocating for~~ that work with individuals with disabilities;
- d. ~~One individual who is a provider or representative of developmental disability services;~~
- e. ~~One individual representing an organization and advocating for~~ individuals with behavioral health needs;
- f. ~~One individual representing an organization advocating for, or~~ individuals with fetal alcohol spectrum disorder;
- g.d. One individual representing tribal communities, with a focus on disability services;
- h.e. Two individuals who are parents or guardians of children under the age of eighteen with disabilities; and
- i.f. Two individuals who are parents or guardians of individuals age eighteen or over with disabilities.

4. Upon request of the department, state agency representatives shall participate with the cross-disability advisory council in a nonvoting role.

4.5. The cross-disability advisory council shall meet at least quarterly and may appoint subcommittees to address specific topics or disabilities, which may include autism spectrum disorder, traumatic brain injury, and fetal alcohol spectrum disorder. A majority of the voting members of the council constitutes a quorum.

~~5.6.~~ The cross-disability advisory council shall:

- a. Discuss strategies to address gaps or needs regarding individuals with disabilities and Medicaid home and community-based services, including eligibility of legally responsible individuals;
- b. Provide for the active participation of stakeholders, including consumers and providers; and
- c. Receive information from the department and its consultants.

~~6.7.~~ The cross-disability advisory council members, excluding the contracted facilitator, are entitled to reimbursement from the department for travel and lodging at the same rate as provided for state officers and employees.