

Testimony
Senate Bill No. 2098
Senate State and Local Government Committee
Senator Kristin Roers, Chairman
January 16, 2025

Chairman Roers, and members of the Senate State and Local Government Committee, I am Tina Bay, Director of the Developmental Disabilities Section with the Department of Health and Human Services (Department). I appear before you to provide testimony on Senate Bill No. 2098.

I would like to bring your attention to Section 1, page 1, lines 22 through 24, which refer to North Dakota Century Code section 25-01.2-01. The language specifically identifies a minor with developmental disabilities; however, North Dakota Century Code 25-01.2-01 includes both children and adults.

While Section 1, page 1, lines 19-21 reference a “disabled adult,” the section of the Century Code cited does not define “disabled adult” but instead defines a “vulnerable adult.” This discrepancy may create a gap in which an adult with a developmental disability does not meet the definition of a “vulnerable adult” and, as a result, would not meet the criteria for reporting a missing individual.

This issue could potentially leave certain adults with a developmental disability without the appropriate protections.

In addition, in Section 1, page 2, lines 5 and 10 limits who can make a report about an elderly adult who is missing to a family member. The Department believes that the ability to report should not be limited to family members, as many older adults live alone or with non-family members. Credible reports could come from other trusted sources, such as close friends, employers, clergy, or other individuals who have maintained significant contact with the older adult. These sources might otherwise be restricted from reporting because the adult does not meet the definition of a vulnerable adult as outlined in section 25-01.2-01.

This concludes my testimony. I would be happy to try to answer any questions the committee may have. Thank you.