

**FISCAL NOTE**  
**Requested by Legislative Council**  
**12/23/2016**

Amendment to: SB 2115

- 1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2015-2017 Biennium		2017-2019 Biennium		2019-2021 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

- 1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2015-2017 Biennium	2017-2019 Biennium	2019-2021 Biennium
Counties			
Cities			
School Districts			
Townships			

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

SB2115 allows for an update to the members of the autism spectrum disorder task force

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

SB2115 has no fiscal impact on either HB1072 or HB1012.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

- A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

- B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

**Name:** Debra A. McDermott

**Agency:** Human Services

**Telephone:** 328-3695

**Date Prepared:** 01/06/2017

**FISCAL NOTE**  
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**12/23/2016**

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Bill/Resolution No.: SB 2115

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**Telephone:** 328-3695

**Date Prepared:** 01/06/2017

**2017 SENATE HUMAN SERVICES**

**SB 2115**

# 2017 SENATE STANDING COMMITTEE MINUTES

Human Services Committee  
Red River Room, State Capitol

SB 2115  
1/10/2017  
Job Number 26731

☐ Subcommittee  
☐ Conference Committee

Committee Clerk Signature

*Emmery Proberg*

## Explanation or reason for introduction of bill/resolution:

A bill relating to the members of the autism spectrum disorder task force.

## Minutes:

Attachment: #1 - 3

**Chair Senator J. Lee** Opened the hearing for SB 2215.

**Maggie Anderson, Department of Human Services:** Testified in Support of SB 2115 (See Attachment #1).

(3:55) **Senator Heckaman:** When I sit on the task force for the Superintendent of Public Instruction, we appreciate the information we get from the Director of Special Education. The task force doesn't want to lose that direction.

**Maggie Anderson:** If you look at our notations, it's the director of the agency or the director's designee; so it is likely the appointee would still be the director of special education but it would leave discretion with the agency head. The change was to create consistency but I understand what you're saying and you can certainly amend that change out.

**Senator Kreun:** Who does most of the instruction of the clients we are trying to take care of? Where does the funding come from if it is under the Superintendent of Public Instruction?

**Maggie Anderson:** That question is beyond me within the Department of Human Services (DHS) in terms of the funding with K-12 education; within a K-12 education system the classroom teachers and special education teachers are going to interact with children with an autism spectrum disorder. All children and faculty and staff of the school will have those interactions. I am not familiar with the funding stream for K-12.

**Committee Discussion:** Senator Kreun commented that this bill appears similar to the ones that move Pre-K facilities and instructional capabilities into the public schools and that the source of the funding is not identified. Maggie Anderson said that their intent has nothing to do with funding or adding additional services under the Department of Public Instruction (DPI).



(9:10) **Senator Larsen:** You said the cost would be minimal; I was wondering if these people receive a stipend for traveling, housing, or per diem?

**Maggie Anderson:** We do not have expenditures for those items; current task force members have not requested them. If it was hardship for someone to serve we would consider it which is why we thought the cost would be minimal.

**Senator Piepkorn:** The Superintendent cannot serve on all these committees; does she appoint someone to be the regular member of the task force?

**Maggie Anderson:** That is my understanding—the bill's intent was not to change the member, it's just to change the language so that the person be an appointee of the superintendent.

**Senator Piepkorn:** Will you tell me more about including an adult with autism spectrum disorder on the force?

**Maggie Anderson:** Autism spectrum disorder does not end with adulthood and there are continued needs and reasons why, as a system, we need to be thoughtful in services and delivery of those services. As we've built capacity within our children's services system, we need to recognize that when those children are aging into adulthood, they need representation on the task force.

**Senator Heckaman:** That's correct. We've had an individual who has been interested in attending the meeting and partaking in our conversations. It enables us to find out which services are and are not available in our committees across the state. That individual does not have voting privileges but has been a valuable member of our task force as we have gone forward. I am also bringing an amendment forward from the task force and the Autism Collation.

**Senator J. Lee** told a story about a boy with autism who earned the Rhodes scholarship.

**Senator Clemens:** Keeping the director of the special education would be more advantageous in understanding what is needed with autism. I would like to hear your comments on what would be the advantages of replacing the special education director with the Superintendent of Public Instruction?

**Maggie Anderson:** There is no specific advantage; when we drafted the bill our intention was to bring forward the two new task force members. When we drafted the bill, we saw an inconstancy in that section because the other two designees are designees of the agency director. We thought this may be something that should be consistent.

**Senator Larsen:** The Department of Public Instruction are not planning to remove the special education director, correct?

**Maggie Anderson:** I would assume so but that was not a part of our conversation.

**Gerry Teevens, Director of Special Education:** It is my understanding this was a consistency clean-up in the language; I don't believe Superintendent Baesler has plans to replace me.

**Senator Larsen:** What's the budget for the autism spectrum disorder?

**Gerry Teevens:** The special education is funded through our federal grant, The Individuals with Disabilities Education Act. Each of the 32 special education units within our state are appropriated using the formula in the act. Children with autism are included in that.

**Senator J. Lee** informed the committee about an autism program in Fargo that takes college students in the autism spectrum and help them find employment.

(22:00) **Maggie Anderson:** One year ago there were reductions as part of the allotment for the new slots for both the autism waiver and the autism voucher; we were not allowed to move forward in filling those slots. The slots that remained in the budget were the slots to cover the children who would otherwise age out of the current Medicaid waiver. Those were 12 slots that were not affected by the allotment. When we built the budget request, we restored the previous reductions from the allotment and we had an optional adjustment request for those same 12 slots plus additional slots.

**Committee Discussion:** Maggie Anderson and the committee discussed bills relating to the budget.

**Senator Heckaman:** Proposed amendment (See Attachment #3) and testified in favor of the amendments (See Attachment #2).

**Maggie Anderson:** Confirmed the Department of Human Services were fine with the amendments.

**Chair Senator J. Lee:** Closed the hearing on SB 2115.

**Senator Heckaman:** Moved to Adopt Amendment 17.8068.01001.

**Senator Larsen:** Seconded the Motion.

**Committee Discussion:** The committee clarified the language on the amendment. Senator Anderson wanted to ensure priority be given to someone who will represent those with autism spectrum disorder. The committee decided to keep the current amendment language.

**A Roll Call Vote Was Taken:** 7 yeas, 0 nays, 0 absent.

**Motion Carried.**

**Senator Heckaman:** Moved Do Pass As Amended on SB 2115.

**Senator Larsen:** Seconded the Motion.

Senate Human Services Committee

SB 2115

1/10/2017

Page 4

**A Roll Call Vote Was Taken: 7 yeas, 0 nays, 0 absent.**

**Motion Carried.**

**Senator Heckaman will carry the bill to the floor.**



January 10, 2017

ET  
1-10-17  
pg 1 of 1

PROPOSED AMENDMENTS TO SENATE BILL NO. 2115

Page 1, line 19, after "(4)" insert "A behavioral specialist;

(5)"

Page 1, line 20, overstrike "(5)" and insert immediately thereafter "(6)"

Page 1, line 21, overstrike "(6)" and insert immediately thereafter "(7)"

Page 1, line 22, overstrike "(7)" and insert immediately thereafter "(8)"

Page 1, line 24, overstrike "(8)" and insert immediately thereafter:

"(9) A representative who is an enrolled member of a federally  
recognized Indian tribe;

(10) An adult self advocate;

(11)"

Page 2, line 1, overstrike "(9)" and insert immediately thereafter "(12)"

Page 2, line 1, remove the overstrike over "and"

Page 2, line 2, overstrike "(10)" and insert immediately thereafter "(13)"

Page 2, line 2, remove the semicolon

Page 2, remove lines 3 and 4

Page 2, line 5, remove "(12) An adult with autism spectrum disorder"

Renumber accordingly

Date: 7/10 2017  
Roll Call Vote #: 1

2017 SENATE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 2115

Senate Human Services Committee

☐ Subcommittee

Amendment LC# or Description: 17.8068.01001

Recommendation: ☒ Adopt Amendment  
☐ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation  
☐ As Amended ☐ Rerefer to Appropriations  
☐ Place on Consent Calendar  
Other Actions: ☐ Reconsider ☐

Motion Made By Sen. Heckaman Seconded By Sen Larsen

Senators	Yes	No	Senators	Yes	No
Senator Judy Lee (Chairman)	X		Senator Joan Heckaman	X	
Senator Oley Larsen (Vice-Chair)	X		Senator Merrill Piepkorn	X	
Senator Howard C. Anderson, Jr.	X				
Senator David A. Clemens	X				
Senator Curt Kreun	X				

Total (Yes) 7 No 0

Absent 0

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

Date: 4/10 2017  
Roll Call Vote #: 2

2017 SENATE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 245

Senate Human Services Committee

☐ Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation: ☐ Adopt Amendment  
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation  
☒ As Amended ☐ Rerefer to Appropriations  
☐ Place on Consent Calendar  
Other Actions: ☐ Reconsider ☐ \_\_\_\_\_

Motion Made By Sen. Heckaman Seconded By Sen. Larsen

Senators	Yes	No	Senators	Yes	No
Senator Judy Lee (Chairman)	X		Senator Joan Heckaman	X	
Senator Oley Larsen (Vice-Chair)	X		Senator Merrill Piepkorn	X	
Senator Howard C. Anderson, Jr.	X				
Senator David A. Clemens	X				
Senator Curt Kreun	X				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Sen. Heckaman

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2115: Human Services Committee (Sen. J. Lee, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2115 was placed on the Sixth order on the calendar.

Page 1, line 19, after "(4)" insert "A behavioral specialist:

(5)"

Page 1, line 20, overstrike "(5)" and insert immediately thereafter "(6)"

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Renumber accordingly

**2017 HOUSE HUMAN SERVICES**

**SB 2115**



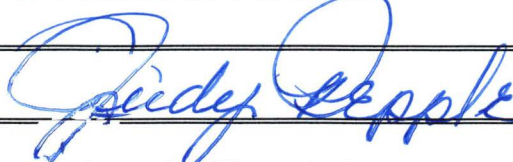
# 2017 HOUSE STANDING COMMITTEE MINUTES

**Human Services Committee**  
Fort Union Room, State Capitol

SB 2115  
3/1/2017  
No tape

☐ Subcommittee  
☐ Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

Relating to members of the autism spectrum disorder task force.

## Minutes:

1,

Chairman Weisz: Called the committee to order.  
Opened the hearing on SB 2115

Chairman Weisz: Testimony in support of SB 2115.

Maggie Anderson, Dir. Of the Medical Services Division for the Dept. of Human Services  
(Attachment 1)

Chairman Weisz: Are there questions from the committee?

Representative Porter: Inside of the current structure with it being this big, what is the participation rate.

M. Anderson: I know there is good participation and we also offer phone and video.

Representative Porter: The membership on the board comes from where? Who decides who is going to be nominated for the committee?

M. Anderson: Usually someone on the committee would offer suggestions to fill that board position. We would look for people with that diagnosis that would be interested in serving.

Representative Porter: The senate changed the language and that makes it only a self-advocate, not necessarily someone with autism. Is that what you want it to say?

M. Anderson: The intent was to have someone with autism spectrum disorder.

Vice Chairman Rohr: Is this different than the ABA certified people?

M. Anderson: This would be more broad. They would necessarily need to be ABA certified.

Vice Chairman Rohr: Who filled that position before?

M. Anderson: It could have been psychiatrists or therapist. It was an open meeting, so they could come and voice their concerns.

Representative McWilliams: With these task forces, what is the average number of committee members?

M. Anderson: That is very different depending on the task force. Some could be 50 people and some could be 7 or 8.

Representative McWilliams: We have had a lot of talk about ABA therapy. Any of the other treatments would already be covered. Would it matter to add this one?

M. Anderson: There are some inconsistencies and this would help to make it clearer.

Vice Chairman Rohr: Change in lines 10 and 11 takes out the director of special education and replaces it with the superintendent of public instruction. I would think those in special education would be better.

M. Anderson: That was not the intent at all. The intent was to make it a designee of the superintendent. It could still be someone from the special education department.

Chairman Weisz: Further testimony in support?

Is there any opposition to SB 2115?

Seeing none, we will close the hearing on SB 2115

Committee adjourned.

# 2017 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee  
Fort Union Room, State Capitol

SB 2115

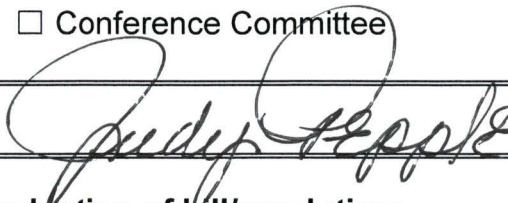
3/6/2017

28760

☐ Subcommittee

☐ Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

Relating to members of the autism spectrum disorder task force.

## Minutes:

Representative Porter: Just a point of discussion before we would have a motion. On page 2 line 3, if we want to expand that to say "an adult self-advocate with a diagnosis of autism" so that we are very clear on that is who they want on this committee. Adult self-advocate I can read a hundred different things into that, but it was very clear with the testimony that they were looking for an adult with the diagnosis of autism.

Chairman Weisz: To them it was self-evident by the language, but it isn't necessarily self-evident to others.

Representative Porter: I am not sure why, but the senate took that language off. I think that is what they are looking for and I don't know why we would not give them what they are asking for.

Chairman Weisz: So is that in the form of a motion?

Representative Porter: I would move that we amend SB 2115 on page 2 line 3. After the word "advocate" insert "with a diagnosis of autism".

Chairman Weisz: Or do you want to say with autism spectrum disorder?

Representative Porter: I would say "autism spectrum disorder"

Chairman Weisz: Ok the motion would say an "adult self- advocate with a diagnosis of autism spectrum disorder".

Representative Schneider: I would say not with a diagnosis, because some adults don't have that, but you could say, "who has been diagnosed with autism spectrum disorder". They may not have been as adults, but probably were as children.



Representative Porter: I will accept that.

Chairman Weisz: so the motion will say, "an adult self-advocate who has been diagnosed with autism spectrum disorder".

Vice Chairman Rohr: seconded. Is there any further discussion?

Representative McWilliams: I am looking just above that in the original bill says a native American representing native Americans with autism spectrum disorder. It seems that they have taken out with "autism spectrum disorder". I think we should put that back or something similar to what we put in.

Chairman Weisz: Let's take up this motion and then we can address that.  
Voice vote to adopt the amendment to SB 2115.

Voice vote taken and the motion passed.

Chairman Weisz: I would think that they just wanted someone to show up from the tribe whether they have ASD or not. Certainly we can entertain a motion to move it back to what the current bill was. I know we have had that issue in the past and that is why it says a representative.

Representative McWilliams: Do we have to spell it out in the bill that someone is a member of the tribe? Couldn't the governor just make it a point to appoint someone that is a member of one of the tribes? Do we have to specify in the bill a native American representing native Americans with autism spectrum disorder?

Chairman Weisz: We list someone from the tribe in most task forces, because they need to try to be sure there is representation from the tribe. Obviously these issues are more pronounced on the reservation than in the rest of the state, so it is to insure. If you take it out, maybe the governor does or doesn't.

Representative Skroch: I like the language in the original wording better, because it doesn't actually link them to a family member, but they are representing an autism spectrum disorder within the tribe.

Chairman Weisz: the original language doesn't have to be a tribal member either. It is just someone from the tribe.

Representative Skroch: so can we combine those two?

Chairman Weisz: Well, an enrolled member has to be a native American to be enrolled.

Representative Porter: I think the second language is right.

Chairman Weisz: I think you could only make the change that says "an enrolled member of a federally recognized Indian tribe representing native Americans with autism spectrum disorder." That would be the only way to insure that they were.

Representative Skroch: I move that we amend it. Take off a "representative who is" and say, "An enrolled member of a federally recognized Indian tribe representing members with autism spectrum disorder"

Vice Chairman Rohr: second it.

Chairman Weisz: Ok we have a motion and a second. Does everyone understand the motion?

Representative Damschen: I think that is just a different way of saying what the original bill said.

Chairman Weisz: Yes, but they don't have to be a tribal member. Under this language the tribe would be responsible for moving that name forward to the governor. Otherwise it could be anybody. Someone with no relation to the tribe at all.

Representative Damschen: I kind of like the language they used.

Chairman Weisz: We do have a motion on the floor. Is there further discussion on the motion?

Chairman Weisz: Voice vote on the motion. The motion failed. Unless someone disputes that we will let it stand.

Representative Schneider: I think we could put the language together. That wasn't what we were voting on was it?

Chairman Weisz: Yes, we kind of were. Does someone want to offer a different amendment or present a motion?

Representative Porter: I move for a do pass as amended.

Representative McWilliams: Seconded.

Chairman Weisz: Further discussion?

Seeing none the clerk will call the roll for a do pass as amended on SB 2115.

Roll call vote taken    Yes    13    No    0    Absent 1

Chairman Weisz: Motion carried for a do pass as amended on SB 2115. Is there a volunteer to carry this one?

Representative D. Anderson: I will carry it.

3/6/17 DA

17.8068.02001  
Title.03000

Adopted by the Human Services Committee

March 6, 2017

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2115

Page 2, line 3, after "advocate" insert "with autism spectrum disorder"

Renumber accordingly



Date: 3-6-17  
Roll Call Vote #: 1

2017 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2115

House Human Services Committee

☐ Subcommittee

Amendment LC# or Description: 17.8068.02001

Recommendation: ☒ Adopt Amendment  
☐ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation  
☐ As Amended ☐ Rerefer to Appropriations  
☐ Place on Consent Calendar  
Other Actions: ☐ Reconsider ☐

Motion Made By Rep. Porter Seconded By Rep. Rohr

Representatives	Yes	No	Representatives	Yes	No
Chairman Weisz			Rep. P. Anderson		
Vice Chairman Rohr			Rep. Schneider		
Rep. B. Anderson					
Rep. D. Anderson					
Rep. Damschen					
Rep. Devlin					
Rep. Kiefert					
Rep. McWilliams					
Rep. Porter					
Rep. Seibel					
Rep. Skroch					
Rep. Westlind					

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

Date: 3-6-17  
Roll Call Vote #: 2

2017 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2115

House Human Services Committee

☐ Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation: ☒ Adopt Amendment  
☐ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation  
☐ As Amended ☐ Rerefer to Appropriations  
☐ Place on Consent Calendar  
Other Actions: ☐ Reconsider ☐ \_\_\_\_\_

Motion Made By Rep. Skrock Seconded By Rep. Rohr

Representatives	Yes	No	Representatives	Yes	No
Chairman Weisz			Rep. P. Anderson		
Vice Chairman Rohr			Rep. Schneider		
Rep. B. Anderson					
Rep. D. Anderson					
Rep. Damschen					
Rep. Devlin					
Rep. Kiefert					
Rep. McWilliams					
Rep. Porter					
Rep. Seibel					
Rep. Skrock					
Rep. Westlind					

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

add "an enrolled member of a federally recognized Indian tribe representing native Americans with A.S.D."



Date: 3/6/17  
Roll Call Vote #: 3

2017 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2115

House Human Services Committee

☐ Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation: ☐ Adopt Amendment  
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation  
☒ As Amended ☐ Rerefer to Appropriations  
☐ Place on Consent Calendar  
Other Actions: ☐ Reconsider ☐ \_\_\_\_\_

Motion Made By Rep. Porter Seconded By Rep. McWilliams

Representatives	Yes	No	Representatives	Yes	No
Chairman Weisz	✓		Rep. P. Anderson	✓	
Vice Chairman Rohr	✓		Rep. Schneider	✓	
Rep. B. Anderson	✓				
Rep. D. Anderson	✓				
Rep. Damschen	✓				
Rep. Devlin	absent.				
Rep. Kiefert	✓				
Rep. McWilliams	✓				
Rep. Porter	✓				
Rep. Seibel	✓				
Rep. Skroch	✓				
Rep. Westlind	✓				

Total (Yes) 13 No 0

Absent 1

Floor Assignment Rep. D. Anderson

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**SB 2115, as engrossed: Human Services Committee (Rep. Weisz, Chairman)**  
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends  
**DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2115  
was placed on the Sixth order on the calendar.

Page 2, line 3, after "advocate" insert "with autism spectrum disorder"

Renumber accordingly

2017 TESTIMONY

SB 2115

SB 2115  
Attack  
#1  
JAN 10th  
pg. 1

**Testimony**  
**Senate Bill 2115 – Department of Human Services**  
**Senate Human Services Committee**  
**Senator Lee, Chairman**  
**January 10, 2017**

Chairman Lee, members of the Senate Human Services Committee, I am Maggie Anderson, Director of the Medical Services Division, for the Department of Human Services (Department). I am here in support of Senate Bill 2115 which was introduced at the request of the Department.

Senate Bill 2115 proposes to add members and to make clarifications to the Autism Spectrum Disorder Task Force, which was originally established by the 2009 Legislative Assembly. The Task Force meets quarterly and examines early intervention and family support services for individuals with autism spectrum disorders to help them remain in their homes and communities.

Specifically, Page 1, Lines 10 and 11 propose to replace "director of special education" to the "superintendent of public instruction". This change creates more consistency with other designated members of the Task Force. During the drafting of this proposed legislation, the Department consulted with the Superintendent of Public Instruction and received her support for this change.

The changes proposed on Page 1, Lines 22 and 23 clarify that a member of the Task Force selected to represent licensed residential child care facilities should be one that is providing services to individuals with an autism spectrum disorder.

The changes proposed on Page 2, Lines 3 through 5 are to add two new members: a Native American representing Native Americans with autism spectrum disorder and an adult with autism spectrum disorder. Adding these additional members were recommendations from the Autism Spectrum Disorder Task Force as well as from other advocacy organizations and coalitions.

The Department estimates a minimal fiscal impact for adding the two additional Task Force members and felt any additional costs could be covered within existing funding used to support member's attendance at Task Force meetings.

I would be happy to answer any questions that you may have.



SB 2115  
Amendment # 2  
1/10/17

Human Services Committee

January 10, 2017

Chairman Lee and Members of the Human Services Committee. For the record I am Senator Joan Heckaman from New Rockford.

The amendment before you today is a request from the Governor's State Autism Task Force and is brought forward by me because I am a member of that Task Force.

The Task Force was established in 2009 after several unsuccessful attempts were made to secure federal grants to improve the diagnosis and delivery of services for individuals with Autism. The reason some grants were unattainable was due to the fact that a State Plan was The Task Force's first and foremost task was to develop a state plan. That plan was needed as a part of many grants available across the country.

The composition of the Task Force has remained as written into law in 2009. The Task Force has seen the need for additional members. In my contact with the Governor's office as to whether he could appoint without this piece of legislation, I found out that since the participants are written into code, any additional members must also be written into code.

Additional members requested are a behavior specialist, a representative of our Native American tribes, and an adult self-advocate.

I would submit this amendment for your consideration given the fact that another request is before us. I would encourage this committee to merge these requests together, not only saving time, but also identifying the needs of both entities submitting the requests.

Thank you for letting me present this amendment. I would stand for any questions you may have

Respectfully submitted,

Senator Joan Heckaman

SB 2115  
Attach #3  
1/10/17  
pg. 1

17.8068.####

Sixty-fifth  
Legislative Assembly  
of North Dakota

(Proposed Amendment to)  
**SENATE BILL NO. 2115**

Introduced by

Senator Heckaman

A BILL for an Act to amend and reenact subsection 1 of section 50-06-32 of the North Dakota Century Code, relating to the members of the autism spectrum disorder task force.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Subsection 1 of section 50-06-32 of the North Dakota Century Code is amended and reenacted as follows:

1. The autism spectrum disorder task force consists of:
  - a.
    - (1) The state health officer, or the officer's designee;
    - (2) The director of the department of human services, or the director's designee;
    - (3) The ~~director of special education~~ superintendent of public instruction, or the ~~director's~~ superintendent's designee; and
    - (4) The executive director of the protection and advocacy project, or the director's designee; and
  - b. The following members appointed by the governor:
    - (1) A pediatrician with expertise in the area of autism spectrum disorder;
    - (2) A psychologist with expertise in the area of autism spectrum disorder;
    - (3) A college of education faculty member with expertise in the area of autism spectrum disorder;
    - (4) A behavioral specialist;
    - ~~(4)~~(5) A licensed teacher with expertise in the area of autism spectrum disorder;
    - ~~(5)~~(6) An occupational therapist;
    - ~~(6)~~(7) A representative of a health insurance company doing business in this state;

- (7)(8) A representative of a licensed residential care facility ~~for~~that provides care and services to individuals with autism spectrum disorder;
- (9) A representative who is an enrolled member of a federally recognized Indian tribe;
- (10) An adult self advocate;
- (8)(11) A parent of a child with autism spectrum disorder;
- (9)(12) A family member of an adult with autism spectrum disorder; and
- (10)(13) A member of the legislative assembly;
- (11) A native American representing native Americans with autism spectrum disorder; and
- (12) An adult with autism spectrum disorder.



**Testimony**  
**Engrossed Senate Bill 2115 – Department of Human Services**  
**House Human Services Committee**  
**Representative Weisz, Chairman**  
**March 1, 2017**

Chairman Weisz, and members of the House Human Services Committee, I am Maggie Anderson, Director of the Medical Services Division, for the Department of Human Services (Department). I am here in support of Engrossed Senate Bill 2115 which was introduced at the request of the Department.

Engrossed Senate Bill 2115 proposes to add members and to make clarifications to the Autism Spectrum Disorder Task Force, which was originally established by the 2009 Legislative Assembly. The Task Force meets quarterly and examines early intervention and family support services for individuals with autism spectrum disorders to help them remain in their homes and communities.

From the Engrossed version of Senate Bill 2115, Page 1, Lines 10 and 11 propose to replace "director of special education" to the "superintendent of public instruction". This change creates more consistency with other designated members of the Task Force. During the drafting of this proposed legislation, the Department consulted with the Superintendent of Public Instruction and received her support for this change.

The change on Page 1, Line 19 was made through amendments in the Senate. The Department agrees with this change.

The changes proposed on Page 1, Lines 23 and 24 clarify that a member of the Task Force selected to represent licensed residential child care facilities should be one that is providing services to individuals with an autism spectrum disorder.

The changes proposed on Page 2, Lines 1 through 3 are to add two new members: a representative who is an enrolled member of a federally recognized Indian tribe and an adult self advocate. The Department had proposed a Native American representing Native Americans with autism spectrum disorder and an adult with autism spectrum disorder. The Senate amendments were similar to the Department's proposed members and we were not opposed to the amendments. The Department proposed adding the additional members as a result of recommendations from the Autism Spectrum Disorder Task Force as well as from other advocacy organizations and coalitions.

The Department estimates a minimal fiscal impact for adding the two additional Task Force members and felt any additional costs could be covered within existing funding used to support member's attendance at Task Force meetings.

I would be happy to answer any questions that you may have.