

SENATE BILL NO. 2038
with House AmendmentsFifty-sixth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2038

Introduced by

Legislative Council

(Budget Committee on Long-Term Care)

1 A BILL for an Act to amend and reenact section 23-09.3-01.1 of the North Dakota Century
2 Code, relating to a moratorium on additional basic care facility bed capacity.

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

4 **SECTION 1. AMENDMENT.** Section 23-09.3-01.1 of the 1997 Supplement to the
5 North Dakota Century Code is amended and reenacted as follows:

6 **23-09.3-01.1. Moratorium on expansion of basic care bed capacity.**

7 1. Except when existing beds are converted for use by the alzheimer's and related
8 dementia population under the projects provided for in section 50-06-14.4, the
9 ~~state department of health~~ may not issue a license under this chapter for any
10 additional bed capacity above the state's gross licensed capacity of one thousand
11 four hundred seventy-one beds, adjusted by any reduction in beds before July 31,
12 ~~1997~~ 1999, during the period between August 1, ~~1997~~ 1999, and July 31, ~~1999~~
13 2001. Transfers of existing beds from one municipality to another municipality
14 must be approved if the ~~department of health~~ licensing requirements are met,
15 during the period August 1, ~~1997~~ 1999, to July 31, ~~1999~~ 2001, only to the extent
16 that for each bed transfer approved the total number of licensed beds in the state
17 is reduced by the same number transferred.

18 2. Notwithstanding subsection 1, before August 1, 2001, the department may issue a
19 license for up to ten beds in a single basic care facility which have been converted
20 on a one-to-one basis from long-term care or basic care beds for use by the
21 traumatic brain-injured population. The facility must be located in planning region
22 one, two, seven, or eight of the governor's executive order 1978-12 dated
23 October 5, 1978.