

FIRST ENGROSSMENT
with Conference Committee Amendments
ENGROSSED HOUSE BILL NO. 1385

Introduced by

Representative Delzer

1 A BILL for an Act to amend and reenact section 50-06-06.13 of the North Dakota Century
2 Code, relating to treatment services for children with serious emotional disorders.

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

4 **SECTION 1. AMENDMENT.** Section 50-06-06.13 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **50-06-06.13. Treatment services for children with serious emotional disorders.**

7 The department shall establish in all human service regions a program to provide out-of-home
8 treatment services for a medicaid-eligible child with a serious emotional disorder. ~~If a child is~~
9 ~~placed in an out-of-home treatment program established under this section, the juvenile court~~
10 ~~must make a judicial determination as to whether the placement is in the best interests of the~~
11 ~~child.~~ The department may not require a parent or legal guardian to transfer legal custody of
12 the child in order to have the child placed in an out-of-home treatment program when the sole
13 reason for the placement is the need to obtain services for the child's emotional or behavioral
14 problems and both parents or the legal guardian have agreed to the child's voluntary placement
15 or, if there is a parental disagreement, there is a judicial determination by the juvenile court that
16 placement is in the best interests of the child.