

Fifty-seventh
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2098

Introduced by

Human Services Committee

(At the request of the Indian Affairs Commission)

1 A BILL for an Act to amend and reenact section 23-16-01.1 of the North Dakota Century Code,
2 relating to the moratorium on expansion of long-term care bed capacity; and to repeal section
3 23-09.3-01.1 of the North Dakota Century Code, relating to the moratorium on expansion of
4 basic care bed capacity.

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

6 **SECTION 1. AMENDMENT.** Section 23-16-01.1 of the 1999 Supplement to the North
7 Dakota Century Code is amended and reenacted as follows:

8 **23-16-01.1. Moratorium on expansion of long-term care bed capacity.**

9 Notwithstanding ~~sections~~ section 23-16-06 and ~~23-16-10~~, ~~except when existing beds are~~
10 ~~converted for use by the alzheimer's and related dementia population under the projects~~
11 ~~provided for in section 50-06-14.4~~, the state department of health may not issue a license for
12 any additional bed capacity ~~above the state's gross licensed capacity of seven thousand one~~
13 ~~hundred forty beds, adjusted by any reduction in beds before July 31, 1999, during the period~~
14 ~~between August 1, 1999, and July 31, 2001. Transfers. Transfer of existing beds from one~~
15 ~~municipality to another municipality must be approved if the department of health licensing~~
16 ~~requirements are met, during the period August 1, 1999, to July 31, 2001, only may occur to~~
17 the extent that for each bed ~~transfer approved the total number of licensed beds in the state~~
18 transferred, one is reduced by the same number ~~transferred~~. Existing licensed beds released
19 by a facility ~~which are not immediately and transferred to another facility may not be banked for~~
20 ~~future transfer to another facility~~ must become licensed within eighteen months of transfer.
21 Purchasing of facilities is not subject to the two for one transfer provision.

22 **SECTION 2. REPEAL.** Section 23-09.3-01.1 of the North Dakota Century Code is
23 repealed.