

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1012

Page 1, line 3, after the first semicolon insert "to provide for a legislative council study;"

Page 1, line 5, after the semicolon insert "to provide for basic care facility rates;"

Page 1, line 6, remove "and"

Page 1, line 7, after "reenact" insert "subsection 2 of section 25-02-01.1 and" and after "to" insert "compensation for members of the state hospital governing board and"

Page 1, line 8, after "reimbursements" insert "; and to declare an emergency"

Page 2, line 5, replace "10,920,080" with "11,679,203"

Page 2, line 6, replace "17,169,938" with "17,297,140"

Page 2, line 9, replace "134,389,148" with "126,574,490"

Page 2, line 10, replace "718,078,659" with "734,826,875"

Page 2, line 11, replace "880,578,318" with "890,398,201"

Page 2, line 12, replace "671,393,327" with "677,877,772"

Page 2, line 13, replace "209,184,991" with "212,520,429"

Page 2, line 16, replace "10,546,892" with "9,650,689"

Page 2, line 17, replace "11,465,354" with "11,388,152"

Page 2, line 20, replace "133,362,788" with "132,341,763"

Page 2, line 21, replace "155,429,551" with "153,435,121"

Page 2, line 22, replace "124,743,392" with "123,325,366"

Page 2, line 23, replace "30,686,159" with "30,109,755"

Page 3, line 5, replace "8,207,410" with "8,122,652"

Page 3, line 6, replace "3,638,811" with "3,598,587"

Page 3, line 7, replace "4,568,599" with "4,524,065"

Page 3, line 9, replace "18,852,059" with "18,602,059"

Page 3, line 11, replace "7,657,031" with "7,407,031"

Page 3, line 14, replace "19,695,629" with "19,640,332"

Page 3, line 15, replace "20,268,753" with "20,213,456"

Page 3, line 16, replace "11,124,027" with "11,119,701"

Page 3, line 17, replace "9,144,726" with "9,093,755"

Page 3, line 19, replace "11,207,210" with "11,128,925"

Page 3, line 20, replace "5,502,095" with "5,466,466"

Page 3, line 21, replace "5,705,115" with "5,662,459"

Page 3, line 27, replace "9,618,722" with "9,535,626"

Page 3, line 28, replace "5,161,574" with "5,127,922"

Page 3, line 29, replace "4,457,148" with "4,407,704"

Page 4, line 2, replace "50,265,299" with "50,154,275"

Page 4, line 3, replace "51,235,475" with "51,124,451"

Page 4, line 5, replace "33,274,332" with "33,163,308"

Page 4, line 12, replace "201,053,372" with "200,390,912"

Page 4, line 13, replace "104,935,651" with "104,821,820"

Page 4, line 14, replace "96,117,721" with "95,569,092"

Page 4, line 15, replace "354,044,220" with "356,254,625"

Page 4, line 16, replace "932,687,865" with "937,640,453"

Page 4, line 17, replace "1,286,732,085" with "1,293,895,078"

Page 5, remove lines 28 through 31

Page 6, remove lines 1 and 2

Page 7, after line 4, insert:

**"SECTION 16. LEGISLATIVE INTENT - PAYMENT SCHEDULE FOR CRITICAL ACCESS HOSPITALS.** It is the intent of the legislative assembly that the department of human services implement a charge-based payment schedule for critical access hospitals, for the biennium beginning July 1, 2001, and ending June 30, 2003.

**SECTION 17. LEGISLATIVE COUNCIL STUDY - STATE ADMINISTRATION OF CHILD SUPPORT.** The legislative council shall consider studying, during the 2001-02 interim, the feasibility and desirability of state administration of child support, including the fiscal effect on counties and the state. The legislative council shall report

its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-eighth legislative assembly.

**SECTION 18. COMPULSIVE GAMBLING SERVICES - CONTINGENT FUNDING.** The operating expenses line item in subdivision 3 of section 1 of this Act includes \$150,000 from the general fund for compulsive gambling services. The department of human services may spend \$50,000 of this funding for compulsive gambling services only if the mental health association of North Dakota certifies to the department of human services that it has received at least \$220,000 of funding from Indian gaming sources for compulsive gambling services during the biennium beginning July 1, 2001, and ending June 30, 2003.

**SECTION 19. STATE HOSPITAL LANDFILL CLOSURE - PROJECTED SAVINGS.** During the second year of the biennium beginning July 1, 2001, and ending June 30, 2003, the state hospital may use projected savings from other areas of the state hospital budget for the costs of closing the state hospital landfill. The state hospital may transfer appropriation authority between line items to provide the funding needed for the project, subject to emergency commission and budget section approval.

**SECTION 20. Basic care facility private room rates.** The department of human services shall allow a basic care facility to charge a higher rate for a private room used by a recipient of benefits under chapter 50-24.5 if the private room is not necessary to meet the resident's care needs; the resident, or a person acting on behalf of the resident, has requested the private room and the facility informs the person making the request, at the time of the request, of the amount of payment and that the payment must come from sources other than a resident's monthly income; and the payment does not exceed the amount charged to private pay residents.

**SECTION 21. AMENDMENT.** Subsection 2 of section 25-02-01.1 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

2. The department, in consultation with the state hospital, shall create a state hospital governing body and shall by rules describe the powers and duties of the governing body. The department shall compensate members not employed by the department in the amount of ~~sixty-two~~ one hundred dollars ~~and fifty cents~~ per day and reimburse members for expenses incurred in attending meetings in the amounts provided by sections 44-08-04 and 54-06-09."

Page 7, line 15, replace "eighty-five" with "ninety-three"

Page 7, line 20, after the semicolon insert "and"

Page 8, line 4, after the first "line" insert ", except for criteria relating to phenylketonuria treatment services for which income is not to be considered when determining eligibility"

Page 8, after line 5, insert:

**"SECTION 24. EMERGENCY.** Section 20 of this Act is declared to be an emergency measure. The department of human services shall authorize the basic care facility private room rate through emergency rulemaking."

Renumber accordingly

# STATEMENT OF PURPOSE OF AMENDMENT:

## House Bill No. 1012 - Summary of Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Department of Human Services - Management				
Total all funds	\$60,522,444	\$49,670,844	\$0	\$49,670,844
Less estimated income	<u>40,824,823</u>	<u>31,615,495</u>		<u>31,615,495</u>
General fund	\$19,697,621	\$18,055,349	\$0	\$18,055,349
Department of Human Services - Economic Assistance				
Total all funds	\$928,758,489	\$880,578,318	\$9,819,883	\$890,398,201
Less estimated income	<u>740,502,079</u>	<u>671,393,327</u>	<u>6,484,445</u>	<u>677,877,772</u>
General fund	\$188,256,410	\$209,184,991	\$3,335,438	\$212,520,429
Department of Human Services - Program and Policy				
Total all funds	\$164,255,080	\$155,429,551	(\$1,994,430)	\$153,435,121
Less estimated income	<u>129,295,937</u>	<u>124,743,392</u>	<u>(1,418,026)</u>	<u>123,325,366</u>
General fund	\$34,959,143	\$30,686,159	(\$576,404)	\$30,109,755
Department of Human Services - State Hospital				
Total all funds	\$52,174,730	\$51,235,475	(\$111,024)	\$51,124,451
Less estimated income	<u>18,374,398</u>	<u>17,961,143</u>		<u>17,961,143</u>
General fund	\$33,800,332	\$33,274,332	(\$111,024)	\$33,163,308
Department of Human Services - Developmental Center				
Total all funds	\$41,022,887	\$40,687,887	\$0	\$40,687,887
Less estimated income	<u>30,233,607</u>	<u>30,020,107</u>		<u>30,020,107</u>
General fund	\$10,789,280	\$10,667,780	\$0	\$10,667,780
Department of Human Services - Northwest Human Service Center				
Total all funds	\$8,328,987	\$8,157,433	\$0	\$8,157,433
Less estimated income	<u>4,155,537</u>	<u>4,083,037</u>		<u>4,083,037</u>
General fund	\$4,173,450	\$4,074,396	\$0	\$4,074,396
Department of Human Services - North Central Human Service Center				
Total all funds	\$14,407,527	\$14,201,485	\$0	\$14,201,485
Less estimated income	<u>5,892,990</u>	<u>5,797,056</u>		<u>5,797,056</u>
General fund	\$8,514,537	\$8,404,429	\$0	\$8,404,429
Department of Human Services - Lake Region Human Service Center				
Total all funds	\$8,259,010	\$8,207,410	(\$84,758)	\$8,122,652
Less estimated income	<u>3,658,411</u>	<u>3,638,811</u>	<u>(40,224)</u>	<u>3,598,587</u>
General fund	\$4,600,599	\$4,568,599	(\$44,534)	\$4,524,065
Department of Human Services - Northeast Human Service Center				
Total all funds	\$19,082,759	\$18,852,059	(\$250,000)	\$18,602,059
Less estimated income	<u>11,282,528</u>	<u>11,195,028</u>		<u>11,195,028</u>
General fund	\$7,800,231	\$7,657,031	(\$250,000)	\$7,407,031
Department of Human Services - Southeast Human Service Center				
Total all funds	\$20,387,053	\$20,268,753	(\$55,297)	\$20,213,456
Less estimated income	<u>11,146,427</u>	<u>11,124,027</u>	<u>(4,326)</u>	<u>11,119,701</u>
General fund	\$9,240,626	\$9,144,726	(\$50,971)	\$9,093,755
Department of Human Services - South Central Human Service Center				
Total all funds	\$11,314,710	\$11,207,210	(\$78,285)	\$11,128,925
Less estimated income	<u>5,531,495</u>	<u>5,502,095</u>	<u>(35,629)</u>	<u>5,466,466</u>
General fund	\$5,783,215	\$5,705,115	(\$42,656)	\$5,662,459
Department of Human Services - West Central Human Service Center				
Total all funds	\$18,918,235	\$18,616,938	\$0	\$18,616,938
Less estimated income	<u>10,490,557</u>	<u>10,452,773</u>		<u>10,452,773</u>
General fund	\$8,427,678	\$8,164,165	\$0	\$8,164,165
Department of Human Services - Badlands Human Service Center				
Total all funds	\$9,669,122	\$9,618,722	(\$83,096)	\$9,535,626
Less estimated income	<u>5,165,874</u>	<u>5,161,574</u>	<u>(33,652)</u>	<u>5,127,922</u>
General fund	\$4,503,248	\$4,457,148	(\$49,444)	\$4,407,704
Bill Total				
Total all funds	\$1,357,101,033	\$1,286,732,085	\$7,162,993	\$1,293,895,078
Less estimated income	<u>1,016,554,663</u>	<u>932,687,865</u>	<u>4,952,588</u>	<u>937,640,453</u>
General fund	\$340,546,370	\$354,044,220	\$2,210,405	\$356,254,625

**House Bill No. 1012 - Department of Human Services - Management - Senate Action**

The Senate did not change the House version.

**House Bill No. 1012 - Department of Human Services - Economic Assistance - Senate Action**

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES 1	SENATE VERSION
Salaries and wages	\$11,126,095	\$10,920,080	\$759,123	\$11,679,203
Operating expenses	17,889,079	17,169,938	127,202	17,297,140
Equipment	17,950	17,950		17,950
Capital improvements	2,543	2,543		2,543
Grants - Assistance payments	134,790,705	134,389,148	(7,814,658)	126,574,490
Grants - Medical assistance	756,354,293	718,078,659	16,748,216	734,826,875
Health care trust fund	<u>8,577,824</u>			
Total all funds	\$928,758,489	\$880,578,318	\$9,819,883	\$890,398,201
Less estimated income	<u>740,502,079</u>	<u>671,393,327</u>	<u>6,484,445</u>	<u>677,877,772</u>
General fund	\$188,256,410	\$209,184,991	\$3,335,438	\$212,520,429
FTE	130.80	127.80	9.00	136.80

1 Economic Assistance - Senate changes:

	FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
<b>Economic Assistance Policy Program</b> Restores \$196,000 of the \$387,095 reduced by the House for grants relating to the Indian county allocation. The Senate version increases the formula allocation by 8 percent, from 85 to 93 percent. Total funding of \$2,580,884 is provided, \$512,877 of which is from the general fund.		\$196,000		\$196,000
<b>Child Support Program</b> No changes				
<b>Medical Services Program</b> Adds funding for medical assistance grants to increase the optometric fee payment by \$15, from \$31 to \$46		59,620	\$139,114	198,734
Adds DD grants funding to increase the average wage for community provider direct care workers by an additional 20 cents per hour. The House provided funding to increase the average wage for these workers by 10 cents per hour.		969,094	2,027,930	2,997,024
Adds DD grants funding to increase the fringe benefit percentage allowed for community providers by 3 percent, from 30 to 33 percent		868,264	1,810,844	2,679,108
Funding for basic care grants of \$8,010,658 of federal and special funds is moved from the assistance payments grants line item to the medical assistance grants line item to provide additional flexibility for the department to use funding for basic care costs or nursing facility costs, depending on the needs of the individual				
Consolidates the children's special health services program into the medical services program	10.00	801,404	1,418,026	2,219,430
Removes the children's special health services program director position	(1.00)	(58,944)	(78,136)	(137,080)
Adds funding for medical assistance grants. The House removed the \$25 million of funding included in the executive budget from the health care trust fund for state matching for medical assistance grants and provided \$21 million from the general fund, resulting in a \$4 million reduction in state matching grants funding. This amendment restores \$500,000 of the \$4,000,000 reduction.		500,000	1,166,667	1,666,667
<b>Total Senate changes - Economic Assistance</b>	<b>9.00</b>	<b>\$3,335,438</b>	<b>\$6,484,445</b>	<b>\$9,819,883</b>

A section of legislative intent is added providing that the department implement a charge-based payment schedule for critical access hospitals.

This amendment removes a section of legislative intent added by the House providing that the Department of Human Services and the State Department of Health seek a federal waiver to allow the state to spend less than 30 percent of its federal maternal and child health block grant for children with special health care needs.

A provision is added to allow individuals with phenylketonuria (PKU) to receive treatment services regardless of income.

Provisions of Senate Bill No. 2239 provide that the Department of Human Services assist individuals with phenylketonuria (PKU) to purchase food and formula. Funding for these services is to be provided within the funding levels authorized for children's special health services within the medical services program.

A section is added providing for a Legislative Council study of state administration of child support.

Sections are added allowing, as an emergency measure, basic care facilities to charge a higher rate for private rooms.

**House Bill No. 1012 - Department of Human Services - Program and Policy - Senate Action**

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES <sup>1</sup>	SENATE VERSION
Salaries and wages	\$10,546,892	\$10,546,892	(\$896,203)	\$9,650,689
Operating expenses	11,658,081	11,465,354	(77,202)	11,388,152
Equipment	53,728	53,728		53,728
Capital improvements	789	789		789
Grants	<u>141,995,590</u>	<u>133,362,788</u>	<u>(1,021,025)</u>	<u>132,341,763</u>
Total all funds	\$164,255,080	\$155,429,551	(\$1,994,430)	\$153,435,121
Less estimated income	<u>129,295,937</u>	<u>124,743,392</u>	<u>(1,418,026)</u>	<u>123,325,366</u>
General fund	\$34,959,143	\$30,686,159	(\$576,404)	\$30,109,755
FTE	112.50	112.50	(10.00)	102.50

<sup>1</sup> Program and Policy - Senate changes:

	FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
<b>Aging Services Program</b> Restores \$100,000 of the \$350,000 removed by the House for senior citizen mill levy matching grants. Funding of \$1,412,945 from the general fund remains in this bill. Additional funding of \$250,000 from the health care trust fund is included in House Bill No. 1196. Combined, these bills provide a total of \$1,662,945 for these grants, the same amount recommended in the executive budget, and an increase of \$400,000 compared to the 1999-2001 appropriation.		\$100,000		\$100,000
<b>Children's Special Health Services Program</b> Consolidates the children's special health services program into the medical services program	(10.00)	(801,404)	(\$1,418,026)	(2,219,430)
<b>Children and Family Services Program</b> No changes				
<b>Mental Health and Substance Abuse Program</b> Restores operating expense funding reduced by the House for compulsive gambling services to provide a total of \$150,000 from the general fund. A section is added providing that the additional \$50,000 may be spent only if the Mental Health Association receives at least \$220,000 of funding from Indian gaming sources for compulsive gambling services during the 2001-03 biennium.		50,000		50,000
<b>Developmental Disabilities Program</b> No changes				
<b>Vocational Rehabilitation Program</b> Increases grants funding to restore \$75,000 of the \$300,000 of funding from the general fund reduced by the House for independent living centers. Additional funding of \$100,000 from the health care trust fund for independent living center grants is included in House Bill No. 1196.		75,000		75,000
<b>Total Senate changes - Program and Policy</b>	(10.00)	(\$576,404)	(\$1,418,026)	(\$1,994,430)

**House Bill No. 1012 - Department of Human Services - State Hospital - Senate Action**

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES <sup>1</sup>	SENATE VERSION
Capital improvements	\$1,683,431	\$970,176		\$970,176
Human service centers/institutions	<u>50,491,299</u>	<u>50,265,299</u>	<u>(\$111,024)</u>	<u>50,154,275</u>
Total all funds	\$52,174,730	\$51,235,475	(\$111,024)	\$51,124,451

Less estimated income	<u>18,374,398</u>	<u>17,961,143</u>		<u>17,961,143</u>
General fund	\$33,800,332	\$33,274,332	(\$111,024)	\$33,163,308
FTE	511.00	511.00	(2.00)	509.00

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	FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
<b>State Hospital - Senate changes</b>				
Removes a vacant nurse position	(1.00)	(\$55,512)		(\$55,512)
Removes a vacant social worker position	(1.00)	(55,512)		(55,512)
<b>Total Senate changes - State Hospital</b>	(2.00)	(\$111,024)	\$0	(\$111,024)

A section is added increasing per diem for members of the State Hospital Governing Board by \$37.50 per day, from \$62.50 to \$100 per day.

A section is added authorizing the State Hospital to close its landfill if funding becomes available within its 2001-03 biennium appropriation.

### House Bill No. 1012 - Department of Human Services - Developmental Center - Senate Action

The Senate did not change the House version.

### House Bill No. 1012 - Human Service Centers - General Fund Summary

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES 1	SENATE VERSION
Department of Human Services - Northwest Human Service Center	\$4,173,450	\$4,074,396		\$4,074,396
Department of Human Services - North Central Human Service Center	8,514,537	8,404,429		8,404,429
Department of Human Services - Lake Region Human Service Center	4,600,599	4,568,599	(\$44,534)	4,524,065
Department of Human Services - Northeast Human Service Center	7,800,231	7,657,031	(250,000)	7,407,031
Department of Human Services - Southeast Human Service Center	9,240,626	9,144,726	(50,971)	9,093,755
Department of Human Services - South Central Human Service Center	5,783,215	5,705,115	(42,656)	5,662,459
Department of Human Services - West Central Human Service Center	8,427,678	8,164,165		8,164,165
Department of Human Services - Badlands Human Service Center	4,503,248	4,457,148	(49,444)	4,407,704
<b>Total general fund</b>	<b>\$53,043,584</b>	<b>\$52,175,609</b>	<b>(\$437,605)</b>	<b>\$51,738,004</b>

### House Bill No. 1012 - Human Service Centers - Other Funds Summary

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES 1	SENATE VERSION
Department of Human Services - Northwest Human Service Center	\$4,155,537	\$4,083,037		\$4,083,037
Department of Human Services - North Central Human Service Center	5,892,990	5,797,056		5,797,056
Department of Human Services - Lake Region Human Service Center	3,658,411	3,638,811	(\$40,224)	3,598,587
Department of Human Services - Northeast Human Service Center	11,282,528	11,195,028		11,195,028
Department of Human Services - Southeast Human Service Center	11,146,427	11,124,027	(4,326)	11,119,701
Department of Human Services - South Central Human Service Center	5,531,495	5,502,095	(35,629)	5,466,466
Department of Human Services - West Central Human Service Center	10,490,557	10,452,773		10,452,773
Department of Human Services - Badlands Human Service Center	5,165,874	5,161,574	(33,652)	5,127,922
<b>Total other funds</b>	<b>\$57,323,819</b>	<b>\$56,954,401</b>	<b>(\$113,831)</b>	<b>\$56,840,570</b>

### House Bill No. 1012 - Human Service Centers - All Funds Summary

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES 1	SENATE VERSION
Department of Human Services - Northwest Human Service Center	\$8,328,987	\$8,157,433		\$8,157,433
Department of Human Services - North Central Human Service Center	14,407,527	14,201,485		14,201,485
Department of Human Services - Lake Region Human Service Center	8,259,010	8,207,410	(\$84,758)	8,122,652
Department of Human Services - Southeast Human Service Center	19,082,759	18,852,059	(250,000)	18,602,059

Northeast Human Service Center				
Department of Human Services - Southeast Human Service Center	20,387,053	20,268,753	(55,297)	20,213,456
Department of Human Services - South Central Human Service Center	11,314,710	11,207,210	(78,285)	11,128,925
Department of Human Services - West Central Human Service Center	18,918,235	18,616,938		18,616,938
Department of Human Services - Badlands Human Service Center	9,669,122	9,618,722	(83,096)	9,535,626
<b>Total all funds</b>	<b>\$110,367,403</b>	<b>\$109,130,010</b>	<b>(\$551,436)</b>	<b>\$108,578,574</b>
<b>FTE</b>	<b>904.33</b>	<b>899.33</b>	<b>(4.00)</b>	<b>895.33</b>

<sup>1</sup> Human service centers changes include:

	FTE	GENERAL FUND	ESTIMATED INCOME	TOTAL
<b>Northwest Human Service Center - Senate changes</b> No changes				
<b>North Central Human Service Center - Senate changes</b> No changes				
<b>Lake Region Human Service Center - Senate changes</b> Removes a vacant position - The center may determine the specific position to remove.	(1.00)	(\$44,534)	(\$40,224)	(\$84,758)
<b>Northeast Human Service Center - Senate changes</b> Reduces general fund support - The center may determine the specific areas to reduce.		(\$250,000)		(\$250,000)
<b>Southeast Human Service Center - Senate changes</b> Removes a vacant office assistant III	(1.00)	(\$50,971)	(\$4,326)	(\$55,297)
<b>South Central Human Service Center - Senate changes</b> Removes a vacant addiction counselor	(1.00)	(\$42,656)	(\$35,629)	(\$78,285)
<b>West Central Human Service Center - Senate changes</b> No changes				
<b>Badlands Human Service Center - Senate changes</b> Removes a vacant human relations counselor II	(1.00)	(\$49,444)	(\$33,652)	(\$83,096)