

Introduced by

Human Services Committee

(At the request of the Department of Human Services)

1 A BILL for an Act to amend and reenact section 50-06.2-03 of the North Dakota Century Code,
2 relating to the eligibility resource limits of the service payments for elderly and disabled.

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

4 **SECTION 1. AMENDMENT.** Section 50-06.2-03 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **50-06.2-03. Powers and duties of the state agency.** The state agency has the
7 following powers or duties under this chapter:

- 8 1. To act as the official agency of the state in the administration of the human
9 services programs for individuals and families in conformity with state and federal
10 requirements.
- 11 2. To prepare, at least biennially, a comprehensive human services plan which must:
12 a. Include human services determined essential in effectuating the purposes of
13 this chapter.
14 b. Detail the human services identified by the state agency for provision by
15 human service centers and the services which the county agencies have
16 agreed to make available in approved county plans as a condition for the
17 receipt of any funds allocated or distributed by the state agency.
- 18 3. To make available, through county agencies or human service centers, any or all
19 of the services set out in the comprehensive human services plan on behalf of
20 those individuals and families determined to be eligible for those services under
21 criteria established by the state agency.
- 22 4. To supervise and direct the comprehensive human services administered by
23 county agencies and human service centers through standard-setting, technical
24 assistance, approval of county and regional plans, preparation of the

- 1 comprehensive human services plan, evaluation of comprehensive human
2 services programs, and distribution of public money for services.
- 3 5. Within the limits of legislative appropriations and at rates determined payable by
4 the state agency, to pay qualified service providers, which meet standards for
5 services and operations, for the provision of the following services as defined in
6 the comprehensive human services plan which are provided to ~~persons~~ individuals
7 who, on the basis of functional assessments, income, and resources, are
8 determined eligible for the services in accordance with rules adopted by the state
9 agency:
- 10 a. Homemaker services;
11 b. Chore services;
12 c. Respite care;
13 d. Home health aide services;
14 e. Case management;
15 f. Family home care;
16 g. Personal attendant care;
17 h. Adult family foster care; and
18 i. Such other services as the state agency determines to be essential and
19 appropriate to sustain individuals in their homes and in their communities and
20 to delay or prevent institutional care.
- 21 6. To take actions, give directions, and adopt rules as necessary to carry out the
22 provisions of this chapter.

23 For purposes of this chapter, ~~resources do not include the person's primary home and the first~~
24 ~~fifty~~ except for twenty-five thousand dollars in liquid assets, the individual must meet all asset
25 tests required under chapter 50-24.5.