

Fifty-ninth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1012

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the department of
2 human services; to provide an exception; to provide for a legislative council study; to provide
3 for a transfer to the general fund; and to provide for the transfer of appropriation authority.

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

5 **SECTION 1. BASE LEVEL FUNDING INFORMATION.** The amounts identified in this
6 section represent the base level funding component appropriated to the department of human
7 services in section 3 of this Act as follows:

8 Subdivision 1.

9 MANAGEMENT	
10 Salaries and wages	\$11,016,285
11 Operating expenses	33,567,188
12 Capital assets	2,694
13 Developmentally disabled facility loan fund	<u>3,261,556</u>
14 Total all funds - Base level	\$47,847,723
15 Less estimated income - Base level	<u>34,130,107</u>
16 Total general fund - Base level	\$13,717,616

17 Subdivision 2.

18 PROGRAM AND POLICY	
19 Salaries and wages	\$22,053,781
20 Operating expenses	37,381,409
21 Capital assets	39,672
22 Grants	288,687,725
23 Grants - Medical assistance	<u>921,677,174</u>
24 Total all funds - Base level	\$1,269,839,761

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1	Less estimated income - Base level	<u>959,092,082</u>
2	Total general fund - Base level	\$310,747,679
3	Subdivision 3.	
4	MENTAL HEALTH COMMUNITY SERVICES CONTINGENCY	
5	Total general fund - Base level	\$250,000
6	NORTHWEST HUMAN SERVICE CENTER	
7	Total all funds - Base level	\$7,275,679
8	Less estimated income - Base level	<u>3,645,640</u>
9	Total general fund - Base level	\$3,630,039
10	NORTH CENTRAL HUMAN SERVICE CENTER	
11	Total all funds - Base level	\$14,564,870
12	Less estimated income - Base level	<u>6,723,674</u>
13	Total general fund - Base level	\$7,841,196
14	LAKE REGION HUMAN SERVICE CENTER	
15	Total all funds - Base level	\$8,420,933
16	Less estimated income - Base level	<u>3,782,973</u>
17	Total general fund - Base level	\$4,637,960
18	NORTHEAST HUMAN SERVICE CENTER	
19	Total all funds - Base level	\$19,441,183
20	Less estimated income - Base level	<u>11,444,820</u>
21	Total general fund - Base level	\$7,996,363
22	SOUTHEAST HUMAN SERVICE CENTER	
23	Total all funds - Base level	\$20,724,542
24	Less estimated income - Base level	<u>11,215,222</u>
25	Total general fund - Base level	\$9,509,320
26	SOUTH CENTRAL HUMAN SERVICE CENTER	
27	Total all funds - Base level	\$11,358,975
28	Less estimated income - Base level	<u>5,731,868</u>
29	Total general fund - Base level	\$5,627,107

1	WEST CENTRAL HUMAN SERVICE CENTER	
2	Total all funds - Base level	\$17,584,844
3	Less estimated income - Base level	<u>9,121,635</u>
4	Total general fund - Base level	\$8,463,209
5	BADLANDS HUMAN SERVICE CENTER	
6	Total all funds - Base level	\$8,924,627
7	Less estimated income - Base level	<u>4,558,723</u>
8	Total general fund - Base level	\$4,365,904
9	STATE HOSPITAL	
10	Total all funds - Base level	\$41,889,561
11	Less estimated income - Base level	<u>16,405,360</u>
12	Total general fund - Base level	\$25,484,201
13	DEVELOPMENTAL CENTER	
14	Total all funds - Base level	\$40,761,057
15	Less estimated income - Base level	<u>31,949,828</u>
16	Total general fund - Base level	\$8,811,229
17	Total all funds - Subdivision 3	\$191,196,271
18	Total estimated income - Subdivision 3	\$104,579,743
19	Total general fund appropriation - Subdivision 3	\$86,616,528
20	Total general fund - Section 1	\$411,081,823
21	Total special funds - Section 1	\$1,097,801,932
22	Total all funds - Section 1	\$1,508,883,755

23 **SECTION 2. FUNDING ADJUSTMENTS OR ENHANCEMENTS INFORMATION.** The
24 amounts identified in this section represent the funding adjustments or enhancements to the
25 base funding level for the department of human services which are included in the
26 appropriation in section 3 of this Act as follows:

27 Subdivision 1.

28	MANAGEMENT	
29	Salaries and wages	(\$486,633)
30	Operating expenses	(1,787,339)
31	Capital assets	62

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1	Developmentally disabled facility loan fund	<u>(3,261,556)</u>
2	Total all funds - Adjustments/enhancements	(\$5,535,466)
3	Less estimated income - Adjustments/enhancements	<u>(11,288,586)</u>
4	Total general fund - Adjustments/enhancements	\$5,753,120
5	Subdivision 2.	
6	PROGRAM AND POLICY	
7	Salaries and wages	\$699,801
8	Operating expenses	(109,195)
9	Capital assets	(5,808)
10	Grants	44,572,418
11	Grants - Medical assistance	<u>71,360,100</u>
12	Total all funds - Adjustments/enhancements	\$116,517,316
13	Less estimated income - Adjustments/enhancements	<u>63,463,933</u>
14	Total general fund - Adjustments/enhancements	\$53,053,383
15	Subdivision 3.	
16	MENTAL HEALTH COMMUNITY SERVICES CONTINGENCY	
17	Total general fund - Adjustments/enhancements	(\$250,000)
18	NORTHWEST HUMAN SERVICE CENTER	
19	Total all funds - Adjustments/enhancements	\$43,292
20	Less estimated income - Adjustments/enhancements	<u>39,123</u>
21	Total general fund - Adjustments/enhancements	\$4,169
22	NORTH CENTRAL HUMAN SERVICE CENTER	
23	Total all funds - Adjustments/enhancements	\$713,327
24	Less estimated income - Adjustments/enhancements	<u>533,839</u>
25	Total general fund - Adjustments/enhancements	\$179,488
26	LAKE REGION HUMAN SERVICE CENTER	
27	Total all funds - Adjustments/enhancements	\$680,656
28	Less estimated income - Adjustments/enhancements	<u>431,083</u>
29	Total general fund - Adjustments/enhancements	\$249,573

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1	NORTHEAST HUMAN SERVICE CENTER	
2	Total all funds - Adjustments/enhancements	\$1,055,769
3	Less estimated income - Adjustments/enhancements	<u>745,840</u>
4	Total general fund - Adjustments/enhancements	\$309,929
5	SOUTHEAST HUMAN SERVICE CENTER	
6	Total all funds - Adjustments/enhancements	\$2,801,880
7	Less estimated income - Adjustments/enhancements	<u>2,430,373</u>
8	Total general fund - Adjustments/enhancements	\$371,507
9	SOUTH CENTRAL HUMAN SERVICE CENTER	
10	Total all funds - Adjustments/enhancements	\$780,171
11	Less estimated income - Adjustments/enhancements	<u>578,413</u>
12	Total general fund - Adjustments/enhancements	\$201,758
13	WEST CENTRAL HUMAN SERVICE CENTER	
14	Total all funds - Adjustments/enhancements	\$920,924
15	Less estimated income - Adjustments/enhancements	<u>537,278</u>
16	Total general fund - Adjustments/enhancements	\$383,646
17	BADLANDS HUMAN SERVICE CENTER	
18	Total all funds - Adjustments/enhancements	\$383,660
19	Less estimated income - Adjustments/enhancements	<u>250,774</u>
20	Total general fund - Adjustments/enhancements	\$132,886
21	STATE HOSPITAL	
22	Traditional services	\$230,001
23	Secure services	<u>5,430,860</u>
24	Total all funds - Adjustments/enhancements	\$5,660,861
25	Less estimated income - Adjustments/enhancements	<u>(728,482)</u>
26	Total general fund - Adjustments/enhancements	\$6,389,343
27	DEVELOPMENTAL CENTER	
28	Total all funds - Adjustments/enhancements	\$1,463,546
29	Less estimated income - Adjustments/enhancements	<u>(1,124,148)</u>
30	Total general fund - Adjustments/enhancements	\$2,587,694
31	Total all funds - Subdivision 3	\$14,254,086

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1	Subdivision 3.	
2		NORTHWEST HUMAN SERVICE CENTER
3	Total all funds	\$7,318,971
4	Less estimated income	<u>3,684,763</u>
5	Total general fund appropriation	\$3,634,208
6		NORTH CENTRAL HUMAN SERVICE CENTER
7	Total all funds	\$15,278,197
8	Less estimated income	<u>7,257,513</u>
9	Total general fund appropriation	\$8,020,684
10		LAKE REGION HUMAN SERVICE CENTER
11	Total all funds	\$9,101,589
12	Less estimated income	<u>4,214,056</u>
13	Total general fund appropriation	\$4,887,533
14		NORTHEAST HUMAN SERVICE CENTER
15	Total all funds	\$20,496,952
16	Less estimated income	<u>12,190,660</u>
17	Total general fund appropriation	\$8,306,292
18		SOUTHEAST HUMAN SERVICE CENTER
19	Total all funds	\$23,526,422
20	Less estimated income	<u>13,645,595</u>
21	Total general fund appropriation	\$9,880,827
22		SOUTH CENTRAL HUMAN SERVICE CENTER
23	Total all funds	\$12,139,146
24	Less estimated income	<u>6,310,281</u>
25	Total general fund appropriation	\$5,828,865
26		WEST CENTRAL HUMAN SERVICE CENTER
27	Total all funds	\$18,505,768
28	Less estimated income	<u>9,658,913</u>
29	Total general fund appropriation	\$8,846,855
30		BADLANDS HUMAN SERVICE CENTER

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1	Total all funds	\$9,308,287
2	Less estimated income	<u>4,809,497</u>
3	Total general fund appropriation	\$4,498,790
4		STATE HOSPITAL
5	Traditional services	\$42,119,562
6	Secure services	<u>5,430,860</u>
7	Total all funds	\$47,550,422
8	Less estimated income	<u>15,676,878</u>
9	Total general fund appropriation	\$31,873,544
10		DEVELOPMENTAL CENTER
11	Total all funds	\$42,224,603
12	Less estimated income	<u>30,825,680</u>
13	Total general fund appropriation	\$11,398,923
14	Total all funds - Subdivision 3	\$205,450,357
15	Total estimated income - Subdivision 3	\$108,273,836
16	Total general fund appropriation - Subdivision 3	\$97,176,521
17	Grand total general fund appropriation - H.B. 1012	\$480,448,319
18	Grand total special funds appropriation - H.B. 1012	\$1,153,671,372
19	Grand total all funds appropriation - H.B. 1012	\$1,634,119,691

20 **SECTION 4. FULL-TIME EQUIVALENT EMPLOYEES - MEDICAID - EMERGENCY**

21 **COMMISSION AND BUDGET SECTION APPROVAL.** Subject to emergency commission and
22 budget section approval, the department of human services may hire additional full-time
23 equivalent positions for medicaid program review of eligibility and payments in addition to those
24 authorized by the legislative assembly when it is cost-effective to hire additional positions in lieu
25 of contracts or if no acceptable contract proposal is received within the funding constraints.

26 **SECTION 5. MEDICAID ELIGIBILITY REVIEWS - CONTINGENT FUNDING.** The

27 appropriation in subdivision 2 of section 3 of this Act includes \$615,000 from the general fund
28 and \$615,000 of federal funds for payment error rate measurement eligibility reviews for the
29 medical assistance program. If the department of human services is not required by the federal
30 government to conduct these reviews, the department may not spend these funds for the
31 biennium beginning July 1, 2005, and ending June 30, 2007.

1 **SECTION 6. FUNDING TRANSFERS - EXCEPTION - AUTHORIZATION.**

2 Notwithstanding section 54-16-04, the department of human services may transfer
3 appropriation authority between line items within each subdivision of section 3 of this Act and
4 between subdivisions within section 3 of this Act for the biennium beginning July 1, 2005, and
5 ending June 30, 2007. The department shall notify the office of management and budget of
6 any transfer made pursuant to this section. The department shall report to the budget section
7 after June 30, 2006, any transfers made in excess of \$50,000 and to the appropriations
8 committees of the sixtieth legislative assembly regarding any transfers made pursuant to this
9 section.

10 **SECTION 7. ESTIMATED INCOME - LIMIT - COMMUNITY HEALTH TRUST FUND.**

11 The estimated income line item in subdivision 2 of section 3 of this Act includes \$114,755 from
12 the community health trust fund. The department of human services expenditures from this
13 fund may not exceed this amount for the biennium beginning July 1, 2005, and ending June 30,
14 2007.

15 **SECTION 8. COMPULSIVE GAMBLING PREVENTION AND TREATMENT FUND -**
16 **TRANSFER TO THE GENERAL FUND.**

17 On July 1, 2005, the director of the office of
18 management and budget and the state treasurer shall transfer \$100,000 from the compulsive
19 gambling prevention and treatment fund to the general fund.

19 **SECTION 9. LEGISLATIVE COUNCIL STUDY - LONG-TERM CARE.** During the
20 2005-06 interim, the legislative council shall consider studying, with input from representatives
21 of the department of human services and the long-term care industry, methods of improving the
22 sustainability of funding long-term care services in the state, including a review of case mix and
23 rate equalization, consideration of additional support for facilities providing additional restorative
24 care services, and consideration of options for reducing the number of required reports of
25 facilities providing high-quality care or for seeking waivers to change the survey process.