

**HOUSE BILL NO. 1307**

Introduced by

Representatives Kreidt, Bellew, Heller, Uglem, Wieland

Senator Dever

1 A BILL for an Act to amend and reenact section 50-24.4-07 of the North Dakota Century Code,  
2 relating to nonallowable costs in nursing home ratesetting.

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

4 **SECTION 1. AMENDMENT.** Section 50-24.4-07 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **50-24.4-07. Nonallowable costs.**

7 1. The following costs may not be recognized as allowable: political contributions;  
8 salaries or expenses of a lobbyist, as defined in section 54-05.1-02, for lobbying  
9 activities; advertising designed to encourage potential residents to select a  
10 particular nursing home; fines and penalties; legal and related expenses for  
11 unsuccessful challenges to decisions by governmental agencies; memberships in  
12 sports, health, or similar social clubs or organizations; and costs incurred for  
13 activities directly related to influencing employees with respect to unionization. The  
14 department ~~shall~~ by rule shall exclude the costs of other items or services not  
15 directly related to the provision of resident care.

16 2. Nonallowable costs include the education expense unless:

- 17 a. The education was provided by an accredited academic or technical  
18 educational facility;  
19 b. The education expense was for materials, books, or tuition;  
20 c. The individual was enrolled in a course of study intended to prepare the  
21 individual for a position at the facility and is in that position; and  
22 d. The facility claims the education expense in an amount not more than three  
23 thousand seven hundred fifty dollars annually or an aggregate of fifteen  
24 thousand dollars for an individual.

- 1           3. The education expense may be claimed the year in which it is expended.
- 2           4. For any individual who receives education assistance, the facility shall enter a
- 3           contract with the individual which stipulates a minimum commitment to work for the
- 4           facility as well as a repayment plan if the individual does not fulfill the contract
- 5           obligations.
- 6           5. An individual who receives education assistance that totals at least fifteen
- 7           thousand dollars shall commit to six thousand six hundred fifty-six hours of
- 8           employment after receiving the education assistance.