

April 15, 2011

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1041

That the Senate recede from its amendments as printed on pages 1421 and 1422 of the House Journal and pages 1171 and 1172 of the Senate Journal and that Engrossed House Bill No. 1041 be amended as follows:

Page 1, line 4, replace the second "section" with "sections"

Page 1, line 5, after "43-12.1-16" insert "and 50-30-02"

Page 1, line 6, remove the first "and"

Page 1, line 6, after "administration" insert ", and the health care trust fund"

Page 1, line 7, replace "for application" with "an appropriation"

Page 3, line 5, replace "may not charge" with "shall collect registration"

Page 3, line 5, after "fees" insert "of twenty-five dollars per individual"

Page 3, line 5, remove "for initial registration or"

Page 3, remove lines 6 and 7

Page 3, replace line 8 with "from the individual or the individual's employer."

5. Registration fees collected by the department must be deposited in the department's operating account.

Page 3, line 12, after "the" insert "state department of health"

Page 3, line 12, remove "under section 1 of this Act"

Page 3, line 17, after "the" insert "state department of health"

Page 3, line 17, remove "under section 1 of this Act"

Page 3, remove lines 30 and 31

Page 4, replace lines 1 through 3 with:

"SECTION 6. AMENDMENT. Section 50-30-02 of the North Dakota Century Code is amended and reenacted as follows:

50-30-02. North Dakota health care trust fund created - Uses - Continuing appropriation.

1. There is created in the state treasury a special fund known as the North Dakota health care trust fund. The fund consists of revenue received from government nursing facilities for remittance to the fund under former section 50-24.4-30. The department shall administer the fund. The state investment board shall invest moneys in the fund in accordance with chapter 21-10, and the income earned must be deposited in the North Dakota health care trust fund. All moneys deposited in the North Dakota health care trust fund are available to the department for:

- a. Transfer to the long-term care facility loan fund, as authorized by legislative appropriation, for making loans pursuant to the requirements of this chapter.
 - b. Payment, as authorized by legislative appropriation, of costs of other programs authorized by the legislative assembly.
 - c. Repayment of federal funds, which are appropriated and may be spent if the United States department of health and human services determines that funds were inappropriately claimed under former section 50-24.4-30.
 - d. Operation and maintenance of the nurse aide registry.
2. The department shall continue to access the intergovernmental transfer program if permitted by the federal government and if use of the program is found to be beneficial.
 3. Moneys in the fund may not be included in draft appropriation acts under section 54-44.1-06, except for the operation and maintenance of the nurse aide registry as provided for in this section.

SECTION 7. APPROPRIATION. There is appropriated out of any moneys in the state department of health operating fund in the state treasury, not otherwise appropriated, the sum of \$130,000, or so much of the sum as may be necessary, to the state department of health for the purpose of maintaining a nurse aide registry, for the biennium beginning July 1, 2011, and ending June 30, 2013. This appropriation includes funding for an additional one and one-half full-time equivalent positions provided to the state department of health to maintain the nurse aide registry.

SECTION 8. APPROPRIATION. There is appropriated out of any moneys in the health care trust fund in the state treasury, not otherwise appropriated, the sum of \$155,000, or so much of the sum as may be necessary, to the state department of health for the purpose of one-time costs to establish a nurse aide registry, for the biennium beginning July 1, 2011, and ending June 30, 2013."

Renumber accordingly