

Introduced by

Representatives Schmidt, Damschen, Kreidt, Rohr, Boe

Senators Schaible, Heckaman

1 A BILL for an Act to create and enact two new sections to chapter 50-06.2 and a new section to
2 chapter 50-24.7 of the North Dakota Century Code, relating to the qualifications, authority, and
3 duties of independent home and community-based services case managers.

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

5 **SECTION 1.** A new section to chapter 50-06.2 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Service payments for elderly and disabled - Independent home and**
8 **community-based services case manager.**

9 Under the service payments for elderly and disabled program, an independent home and
10 community-based services case manager:

11 1. Is a licensed social worker who:

12 a. (1) Meets the requirements of section 43-41-05 for the private practice of social
13 work; or

14 (2) Works for an agency other than a county social service agency; and

15 b. Is enrolled as a qualified service provider to provide case management services
16 under rules adopted by the state agency.

17 2. May:

18 a. Determine eligibility for benefits under this chapter and periodically redetermine
19 eligibility of individuals receiving benefits pursuant to this chapter under the
20 direction and supervision of the state agency;

21 b. Provide case management services to recipients; and

22 c. Conduct initial and subsequent periodic functional assessments of applicants and
23 recipients.

1 **SECTION 2.** A new section to chapter 50-06.2 of the North Dakota Century Code is created
2 and enacted as follows:

3 **Medical assistance home and community-based services - Independent home and**
4 **community-based services case manager.**

5 Under the medical assistance home and community-based services program, an
6 independent home and community-based services case manager:

- 7 1. Is a licensed social worker who:
8 a. (1) Meets the requirements of section 43-41-05 for the private practice of social
9 work; or
10 (2) Works for an agency other than a county social service agency; and
11 b. Is enrolled as a qualified service provider to provide case management services
12 under rules adopted by the state agency.
13 2. May:
14 a. Determine eligibility for benefits under this chapter and periodically redetermine
15 eligibility of persons receiving benefits pursuant to this chapter under the
16 direction and supervision of the state agency;
17 b. Provide case management services to recipients; and
18 c. Conduct initial and subsequent periodic functional assessments of applicants and
19 recipients.

20 **SECTION 3.** A new section to chapter 50-24.7 of the North Dakota Century Code is created
21 and enacted as follows:

22 **Expanded service payments for elderly and disabled - Independent home and**
23 **community-based services case manager.**

24 Under the expanded service payments for elderly and disabled program, an independent
25 home and community-based services case manager:

- 26 1. Is a licensed social worker who:
27 a. (1) Meets the requirements of section 43-41-05 for the private practice of social
28 work; or
29 (2) Works for an agency other than a county social service agency; and
30 b. Is enrolled as a qualified service provider to provide case management services
31 under rules adopted by the department.

- 1 2. May:
- 2 a. Determine eligibility for benefits under this chapter and periodically redetermine
- 3 eligibility of persons receiving benefits pursuant to this chapter under the
- 4 direction and supervision of the department;
- 5 b. Provide case management services to recipients; and
- 6 c. Conduct initial and subsequent periodic functional assessments of applicants and
- 7 recipients.