

**HOUSE BILL NO. 1180**  
**with Senate Amendments**  
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Sixty-third  
Legislative Assembly  
of North Dakota

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 a pilot program for independent  
3 home and community-based services case managers; and to provide an expiration date.

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 - Pilot program.**

9 The department shall establish a pilot program for the provision of independent case  
10 management services under the service payments for elderly and disabled program within a  
11 county located entirely within an Indian reservation for the biennium beginning July 1, 2013, and  
12 ending June 30, 2015. An independent home and community-based services case manager:

- 13 1. Is a social worker licensed under section 43-41-04 who:
- 14 a. (1) Meets the requirements of section 43-41-05 for the private practice of social  
15 work; or
- 16 (2) Works for an agency other than a county social service agency; and
- 17 b. Is enrolled as a qualified service provider to provide case management services  
18 under rules adopted by the state agency.
- 19 2. May:
- 20 a. Determine eligibility for benefits under this chapter and periodically redetermine  
21 eligibility of individuals receiving benefits pursuant to this chapter under the  
22 direction and supervision of the state agency;
- 23 b. Provide case management services to recipients; and

- 1           c. Conduct initial and subsequent periodic functional assessments of applicants and  
2           recipients.

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

5           **Medical assistance home and community-based services - Independent home and**  
6 **community-based services case manager - Pilot program.**

7           The department shall establish a pilot program for the provision of independent case  
8 management services under the medical assistance home and community-based services  
9 program within a county located entirely within an Indian reservation for the biennium beginning  
10 July 1, 2013, and ending June 30, 2015. An independent home and community-based services  
11 case manager:

- 12           1. Is a social worker licensed under section 43-41-04 who:  
13           a. (1) Meets the requirements of section 43-41-05 for the private practice of social  
14           work; or  
15           (2) Works for an agency other than a county social service agency; and  
16           b. Is enrolled as a qualified service provider to provide case management services  
17           under rules adopted by the state agency.  
18           2. May:  
19           a. Determine eligibility for benefits under this chapter and periodically redetermine  
20           eligibility of persons receiving benefits pursuant to this chapter under the  
21           direction and supervision of the state agency;  
22           b. Provide case management services to recipients; and  
23           c. Conduct initial and subsequent periodic functional assessments of applicants and  
24           recipients.

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

27           **Expanded service payments for elderly and disabled - Independent home and**  
28 **community-based services case manager - Pilot program.**

29           The department shall establish a pilot program for the provision of independent case  
30 management services under the expanded service payments for elderly and disabled program  
31 within a county located entirely within an Indian reservation for the biennium beginning July 1.

1 2013, and ending June 30, 2015. An independent home and community-based services case  
2 manager:

3 1. Is a social worker licensed under section 43-41-04 who:

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

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

7 b. Is enrolled as a qualified service provider to provide case management services  
8 under rules adopted by the department.

9 2. May:

10 a. Determine eligibility for benefits under this chapter and periodically redetermine  
11 eligibility of persons receiving benefits pursuant to this chapter under the  
12 direction and supervision of the department;

13 b. Provide case management services to recipients; and

14 c. Conduct initial and subsequent periodic functional assessments of applicants and  
15 recipients.

16 **SECTION 4. EXPIRATION DATE.** This Act is effective through June 30, 2015, and after that  
17 date is ineffective.