

**Sixty-third Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 8, 2013**

HOUSE BILL NO. 1101
(Human Services Committee)
(At the request of the Department of Human Services)

AN ACT to create and enact two new sections to chapter 50-31 of the North Dakota Century Code, relating to opioid treatment programs; and to amend and reenact section 50-31-01 of the North Dakota Century Code, relating to opioid treatment programs.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 50-31-01 of the North Dakota Century Code is amended and reenacted as follows:

50-31-01. ~~Definition~~Definitions.

1. "Department" means the department of human services.
2. "Opioid treatment program" means a program through which medication is dispensed in the treatment of opioid addiction.

SECTION 2. Two new sections to chapter 50-31 of the North Dakota Century Code are created and enacted as follows:

State opioid treatment authority.

The division of mental health and substance abuse services of the department is designated as the state opioid treatment authority.

Opioid treatment programs - Licensure required - Rules.

1. To operate in this state, an opioid treatment program must be granted a license from the department, certification from the United States department of health and human services substance abuse and mental health services administration, and registration from the United States department of justice drug enforcement administration.
2. The department may license a substance abuse treatment program to operate an opioid treatment program in the state. A separate license is required for each location at which an opioid treatment program is operated under this section.
3. The department shall adopt rules relating to licensing and monitoring opioid treatment programs, including rules for:
 - a. Standards for approval and maintenance of license;
 - b. Assessment of need for an opioid treatment program in the proposed location;
 - c. Patient eligibility for admission to an opioid treatment program;
 - d. Treatment standards, including counseling and drug testing requirements; and
 - e. Measures to prevent the diversion to illegal use of any drug used by a program to treat an opioid addiction.

4. Each state-licensed opioid treatment program shall submit by electronic means information regarding each prescription dispensed for a controlled substance to the state's prescription drug monitoring program, unless specifically exempted by federal law.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-third Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1101.

House Vote: Yeas 91 Nays 0 Absent 3

Senate Vote: Yeas 47 Nays 0 Absent 0

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2013.

Approved at _____ M. on _____, 2013.

Governor

Filed in this office this _____ day of _____, 2013,

at _____ o'clock _____ M.

Secretary of State