

Sixty-third  
Legislative Assembly  
of North Dakota

## ENGROSSED SENATE BILL NO. 2068

Introduced by

Human Services Committee

(At the request of the Department of Human Services)

1 A BILL for an Act to amend and reenact section 25-03.2-03.1 of the North Dakota Century  
2 Code, relating to ~~decreasing~~ residential child care facility bed capacity ~~to increase~~ and  
3 psychiatric residential treatment facility bed capacity.

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

5 **SECTION 1. AMENDMENT.** Section 25-03.2-03.1 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **25-03.2-03.1. Moratorium on expansion of psychiatric residential treatment facility for**  
8 **children bed capacity - ~~Conversion~~ Exchange of bed capacity.**

- 9 1. Notwithstanding sections 25-03.2-03 and 25-03.2-08, unless a needs assessment  
10 conducted by the department indicates a need for the licensing of additional bed  
11 capacity, the department may not issue a license under this chapter for any additional  
12 bed capacity for a psychiatric residential treatment facility for children above the  
13 state's gross number of beds licensed as of June 30, 2003. This ~~section~~ subsection  
14 does not apply to nor prohibit the department from licensing additional bed capacity for  
15 a new psychiatric residential treatment facility for children if the additional beds are  
16 designated for the care of children and adolescents who are residents of other states.
- 17 2. ~~Notwithstanding subsection 1, the department may convert residential child care~~  
18 ~~facility bed capacity licensed under chapter 50-11 to psychiatric residential treatment~~  
19 ~~facility bed capacity licensed under this chapter. The department may add one~~  
20 ~~psychiatric residential treatment facility bed for every two beds by which it decreases~~  
21 ~~residential child care facility bed capacity. When necessary, the department may revert~~  
22 ~~one psychiatric residential treatment facility bed to two residential child care facility~~  
23 ~~beds. The department may not increase residential child care facility bed capacity by~~  
24 ~~decreasing psychiatric residential treatment facility bed capacity.~~ develop a policy to:

- 1 a. Exchange residential child care facility bed capacity licensed under chapter 50-11
- 2 with psychiatric residential treatment facility bed capacity; or
- 3 b. Exchange psychiatric residential treatment facility bed capacity with residential
- 4 child care facility bed capacity licensed under chapter 50-11.