

**FIRST ENGROSSMENT
with House Amendments
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 residential child care facility bed capacity and psychiatric residential treatment
3 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 - 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 develop a policy to:
- 18 a. Exchange residential child care facility bed capacity licensed under chapter 50-11
19 with psychiatric residential treatment facility bed capacity; or
- 20 b. Exchange psychiatric residential treatment facility bed capacity with residential
21 child care facility bed capacity licensed under chapter 50-11.