

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

HOUSE BILL NO. 1180
(Representatives Schmidt, Damschen, Kreidt, Rohr, Boe)
(Senators Schaible, Heckaman)

AN ACT to create and enact two new sections to chapter 50-06.2 and a new section to chapter 50-24.7 of the North Dakota Century Code, relating to a pilot program for independent home and community-based services case managers; and to provide an expiration date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

Service payments for elderly and disabled - Independent home and community-based services case manager - Pilot program.

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

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

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

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

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

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

- a. (1) Meets the requirements of section 43-41-05 for the private practice of social work;
or
- (2) Works for an agency other than a county social service agency; and
- b. Is enrolled as a qualified service provider to provide case management services under rules adopted by the state agency.

2. May:

- a. Determine eligibility for benefits under this chapter and periodically redetermine eligibility of persons receiving benefits pursuant to this chapter under the direction and supervision of the state agency;
- b. Provide case management services to recipients; and
- c. Conduct initial and subsequent periodic functional assessments of applicants and recipients.

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

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

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

1. Is a social worker licensed under section 43-41-04 who:
 - a. (1) Meets the requirements of section 43-41-05 for the private practice of social work;
or
 - (2) Works for an agency other than a county social service agency; and
 - b. Is enrolled as a qualified service provider to provide case management services under rules adopted by the department.

2. May:

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

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

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. 1180.

House Vote: Yeas 90 Nays 3 Absent 1

Senate Vote: Yeas 46 Nays 0 Absent 1

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