

Introduced by

Legislative Management

(Human Services Committee)

1 A BILL for an Act to create and enact a new section to chapter 50-06.2 of the North Dakota
2 Century Code, relating to eligibility for service payments for elderly and disabled.

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

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

6 **Service payments for elderly and disabled program eligibility.**

7 1. The state agency may not require an individual to apply for services under ~~the state's~~
8 ~~medical assistance program~~ chapter 50-24.1 as a condition of being eligible to apply
9 for services under the service payments for elderly and disabled program:

10 a. If the individual's estimated monthly home and community-based services
11 benefits, excluding the cost of case management, are between the income level
12 established in section 50-24.1-02.6 and the lowest level of the fee schedule for
13 services under this chapter; or

14 b. If the individual is receiving a service that is not available under chapter 50-24.1.

15 2. The home and community-based services case manager shall notify the state agency
16 upon use of an exception authorized under subsection 1.