

**SECOND ENGROSSMENT
with Senate Amendments
REENGROSSED HOUSE BILL NO. 1359**

Introduced by

Representatives Kreidt, Hofstad, Kempenich, J. Nelson

Senator Unruh

1 A BILL for an Act to create and enact section 50-24.5-02.3 of the North Dakota Century Code,
2 relating to basic care payment rates.

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

4 **SECTION 1.** Section 50-24.5-02.3 of the North Dakota Century Code is created and
5 enacted as follows:

6 **50-24.5-02.3. Basic care payment rates.**

- 7 1. The department shall establish, by rule, procedures for determining rates for the care
8 of residents of basic care facilities that qualify as vendors of an aged, blind, and
9 disabled persons program and for implementing provisions of this chapter. The
10 procedures must be based on methods and standards that the department finds are
11 adequate to recognize the costs that must be incurred for the care of residents in
12 efficiently and economically operated basic care facilities.
- 13 2. The department shall identify costs that are recognized for establishing payment rates.
- 14 3. The department shall establish limits on actual allowable historical operating cost
15 per diem based on cost reports of allowable operating costs. For the rate year
16 beginning July 1, 2016, the department annually shall establish limits for cost
17 categories using the costs reports submitted by all participating basic care providers
18 for the report year preceding the rate year. The department shall work with
19 stakeholders to determine the methodology to be used to establish the annual limits
20 required under this subsection within the limits of legislative appropriation.
- 21 4. The department shall provide, by rule, within the limits of legislative appropriation, for
22 payment of rates paid by the aged, blind, and disabled persons program for a
23 maximum of thirty days per occurrence for leave days for a resident who is in a
24 licensed health care facility when the resident is expected to return to the facility.

Sixty-fourth
Legislative Assembly

- 1 5. Within the limits of legislative appropriation, the department shall establish an
- 2 uncompensated care expense of one hundred eighty days.
- 3 6. The department shall abolish the annual compensation cap for top management of
- 4 basic care facilities.