

**HOUSE BILL NO. 1215**

Introduced by

Representatives Weisz, Devlin, Kreidt

Senator J. Lee

1 A BILL for an Act to amend and reenact subsection 1 of section 23-09.3-01 of the North Dakota  
2 Century Code, relating to the definition of basic care facility.

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

4 **SECTION 1. AMENDMENT.** Subsection 1 of section 23-09.3-01 of the North Dakota  
5 Century Code is amended and reenacted as follows:

- 6 1. "Basic care facility" means a residence, not licensed under chapter 23-16 by the  
7 department, that provides room and board to five or more individuals who are not  
8 related by blood or marriage to the owner or manager of the residence and who,  
9 because of impaired capacity for independent living, require health, social, or personal  
10 care services, but do not require regular twenty-four-hour medical or nursing services  
11 and:
- 12 a. Makes response staff available at all times to meet the twenty-four-hour per day  
13 scheduled and unscheduled needs of the individual; ~~or~~
  - 14 b. Is kept, used, maintained, advertised, or held out to the public as an Alzheimer's,  
15 dementia, or special memory care facility; or
  - 16 c. Is attached to a nursing home or assisted living facility and its staff are available  
17 to meet the needs of all residents and comply with state and federal regulations.