

Sixty-eighth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2341

Introduced by

Senators K. Roers, Myrdal, Rummel

Representatives McLeod, Steiner, Strinden

1 A BILL for an Act to ~~amend and reenact section 50-11-00.1 of the North Dakota Century Code,~~
2 ~~relating to definitions for foster homes for children and treatment centers for trafficked~~
3 ~~youth~~ provide for a study of youth services for children impacted or potentially impacted by
4 human trafficking; and to provide for a legislative management report.

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

6 ~~SECTION 1. AMENDMENT. Section 50-11-00.1 of the North Dakota Century Code is~~
7 ~~amended and reenacted as follows:~~

8 ~~50-11-00.1. Definitions.~~

9 ~~As used in this chapter:~~

10 ~~1. "Agency foster home for adults" means a residential home in which foster care for~~
11 ~~adults is regularly provided by professional staff trained to provide services to older~~
12 ~~adults or adults with a disability, to four or fewer adults who are not related by blood or~~
13 ~~marriage to the owner or lessee, for hire or compensation.~~

14 ~~2. "Approval" means the approval by the department, upon submission of tribal licensing~~
15 ~~standards or in the absence of tribal licensing standards compliance with state~~
16 ~~standards, of a facility located on or near, as identified by the tribe, a recognized~~
17 ~~Indian reservation in North Dakota, not subject to the jurisdiction of the state of North~~
18 ~~Dakota for licensing purposes, to allow the facility to receive title IV-E funding.~~

19 ~~3. "Authorized agent" means the human service zone, unless another entity is~~
20 ~~designated by the department.~~

21 ~~4. "Department" means the department of health and human services.~~

22 ~~5. "Facility" means a foster home for adults, agency foster home for adults, family foster~~
23 ~~home for children, residential treatment center for trafficked youth, supervised~~
24 ~~independent living program, or qualified residential treatment program for children.~~

1 ~~6. "Family foster home for children" means an occupied private residence in which foster~~
2 ~~care for children is regularly provided by the owner or lessee of the residence to no~~
3 ~~more than six children, unless the department approves otherwise.~~

4 ~~7. "Foster care for adults" means the provision of food, shelter, security and safety,~~
5 ~~guidance, and comfort on a twenty-four-hour per day basis, in the residential home of~~
6 ~~a caregiver or agency, to an individual age eighteen or older, who is unable, neglects,~~
7 ~~or refuses to provide for the individual's own care.~~

8 ~~8. "Foster care for children" means the provision of substitute parental child care for~~
9 ~~those children who are in need of care for which the child's parent, guardian, or~~
10 ~~custodian is unable, neglects, or refuses to provide, and includes the provision of food,~~
11 ~~shelter, security and safety, guidance, and comfort on a twenty-four-hour basis, to one~~
12 ~~or more children under twenty-one years of age to safeguard the child's growth and~~
13 ~~development and to minimize and counteract hazards to the child's emotional health~~
14 ~~inherent in the separation from the child's family. Foster care may be provided in a~~
15 ~~licensed or approved family foster home for children, supervised independent living~~
16 ~~program, or qualified residential treatment program.~~

17 ~~9. "Foster home for adults" means an occupied private residence in which foster care for~~
18 ~~adults is regularly provided by the owner or lessee of the residence, to four or fewer~~
19 ~~adults who are not related by blood or marriage to the owner or lessee, for hire or~~
20 ~~compensation.~~

21 ~~10. "Identified relative" means:~~

22 ~~a. The child's grandparent, great-grandparent, sibling, half-sibling, aunt, great-aunt,~~
23 ~~uncle, great-uncle, nephew, niece, or first cousin;~~

24 ~~b. An individual with a relationship to the child, derived through a current or former~~
25 ~~spouse of the child's parent, similar to a relationship described in subdivision a;~~

26 ~~c. An individual recognized in the child's community as having a relationship with~~
27 ~~the child similar to a relationship described in subdivision a; or~~

28 ~~d. The child's stepparent.~~

29 ~~11. "Qualified residential treatment program" means a licensed or approved residence~~
30 ~~providing an out-of-home treatment placement for children.~~

1 ~~12.~~ ~~"Residential treatment center for trafficked youth" means a licensed or approved~~
2 ~~residence providing out-of-home treatment specific to meet the needs of children at~~
3 ~~risk of or identified as victims of human trafficking.~~

4 ~~12.13.~~ ~~"Supervised independent living program" means a licensed or approved setting~~
5 ~~providing supervision and service delivery to youth transitioning into adulthood.~~

6 **SECTION 1. DEPARTMENT OF HEALTH AND HUMAN SERVICES - STANDARD**
7 **FRAMEWORK OF SERVICES FOR CHILD VICTIMS OF HUMAN TRAFFICKING - REPORT**
8 **TO LEGISLATIVE MANAGEMENT.**

- 9 1. During the 2023-24 interim, the department of health and human services shall study
10 and implement, in collaboration with other stakeholders, a standard framework for
11 youth services for children impacted or potentially impacted by human trafficking,
12 which includes residential treatment.
- 13 2. The department of health and human services shall collaborate with other
14 stakeholders, including the child and family services section of the department of
15 health and human services, the office of the attorney general, and the human
16 trafficking task force.
- 17 3. Before ~~January 2~~July 1, 2024, the department of health and human services shall
18 report its findings and recommendations to the ~~interim human services~~
19 ~~committee~~legislative management.