

**Testimony**  
**Engrossed House Bill No. 1362**  
**Senate Human Services Committee**  
**Senator Lee , Chairman**  
**March 13, 2023**

Chairman Lee, and members of the Senate Human Services Committee, I am Cory Pedersen, Director of the Children and Family Services Section (CFS) with the Department of Health and Human Services (Department). I appear before you to offer an amendment to Engrossed House Bill 1362.

We do support parents being involved in making the primary decisions for their children. The engagement of parents is one of the most important roles in the work we do for the safety and service for families.

We have concerns with page 1, lines 15-17 relating to children in the custody of the Human Service Zone directors. We also have concerns with page 2, lines 1-3 related to a child being placed in the temporary custody of the state. Of note, this section is not consistent with existing child welfare and juvenile court related law. Furthermore, in North Dakota, children are placed into protective custody of Human Service Zone Directors (not the state), Tribal child welfare agencies (not the state), or the Division of Juvenile Services.

In addition, page 2, lines 4-19 seem to be unnecessary as this process is addressed and conflicts with existing applicable child welfare and juvenile court law in chapter 27-20.3 of the North Dakota Century Code. Also, child protective confirmed decisions in chapter 50-25.1 of the North Dakota Century Code around the work on child protection assessments are already subject to

appeals process which are heard by an administrative law judge and can be appealed further to the district court and the North Dakota Supreme Court. Furthermore, page 2, lines 25-26 would conflict the Human Service Zones involvement in Children in Need of Services under chapter 27-20.3 North Dakota Century Code. This chapter of law was created last session to help families and children around student attendance, minors use of tobacco, as well as local and city curfew.

In closing, I am offering an amendment in hopes of clarifying that child welfare and child support laws would not be unintentionally changed by this proposed law.

This concludes my testimony, and I would be happy to answer any questions you may have.

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1362

Page 1, line 15, after "life" insert "unless ordered by the court"

Page 1, line 16, after "is" insert "usually"

Page 2, line 3, after "state" insert "unless ordered by the court"

Page 2, remove lines 4 through 19

Page 2, line 26, after "child" insert "unless ordered by the court"

Renumber accordingly