

Introduced by

Human Services Committee

(At the request of the Department of Health and Human Services)

1 A BILL for an Act to amend and reenact sections 25-01.1-07, 25-02-01.1, and 25-02-03 of the  
2 North Dakota Century Code, relating to the North Dakota state hospital.

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

4 **SECTION 1. AMENDMENT.** Section 25-01.1-07 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **25-01.1-07. Rules or policies for procedure and administration of institutions.**

7 The supervising department shall make all necessary rules or policies for its own procedure  
8 and for the general administration, supervision, and management of the institutions under its  
9 control and management.

10 **SECTION 2. AMENDMENT.** Section 25-02-01.1 of the North Dakota Century Code is  
11 amended and reenacted as follows:

12 **25-02-01.1. Maintenance of state hospital accreditation - Governing body**  
13 **membership - ~~Rulemaking authority~~Authority.**

- 14 1. The department of health and human services shall seek appropriations and  
15 resources sufficient to ensure maintenance of the state hospital's accreditation by the  
16 joint commission and certification by the centers for Medicare and Medicaid services  
17 or by similar accrediting and certifying organizations and agencies possessing hospital  
18 standards recognized by the health care industry and accepted by the department.
- 19 2. The department, in consultation with the state hospital, shall create a state hospital  
20 governing body and shall by rules, policies, or bylaws describe the powers and duties  
21 of the governing body. The department shall compensate members not employed by  
22 the department in the amount of one hundred dollars per day and reimburse members  
23 for expenses incurred in attending meetings in the amounts provided by sections  
24 44-08-04 and 54-06-09.

1           3. The governing body must be composed of the commissioner of the department of  
2           health and human services or designee; the director of the division of behavioral  
3           health of the department or designee, who shall serve as chairman of the governing  
4           body; the state hospital superintendent; the state hospital medical director; a  
5           representative of the department's fiscal administration division; a behavioral health  
6           consumer selected by the mental health association; and a legislator selected by the  
7           legislative management. The governing body may include other persons as appointed  
8           by the governing body.

9           **SECTION 3. AMENDMENT.** Section 25-02-03 of the North Dakota Century Code is  
10          amended and reenacted as follows:

11           **25-02-03. Object of state hospital.**

12          The state hospital is an institution for mental diseases serving specialized populations of  
13          individuals with severe mental illness, including individuals with a substance use disorder. The  
14          state hospital is one component of the North Dakota mental health delivery system and serves  
15          as a resource to community-based treatment programs. The state hospital shall, pursuant to  
16          rules or policies adopted by the department of health and human services, receive and care for  
17          all eligible individuals with severe mental illness, including individuals with a substance use  
18          disorder, residing within this state in accordance with this title, and may furnish to those  
19          individuals all needed food, shelter, treatment, and support.