

March 5, 2025

Chairman Ruby and Members of the House Human Service Committee,

My name is Tim Mathern, Senator from District 11 in Fargo. I introduced SB 2171 at the request of mental health and law enforcement professionals. It deals with doing an assessment to determine if a person needs to be held for involuntary treatment, often regarding a mental illness or substance use disorder.

There is need to update the involuntary hold and treatment statute 25-03.1-26. In rural North Dakota it is difficult to find an expert in a short period of time and law enforcement informs me that often a 24-hour hold expires while a person is still in transport to a treatment facility. Exceptions are in place to address weekends and holidays. Also, psychiatrists have told me that with today's practice of doing blood tests as part of a mental health assessment, it is at times impossible to do a proper assessment in 24 hours. Related consequences are that an assessment hurried is not in the patient's interest or a person is required to be released when treatment is indicated. As a result, multiple in and out emergency hospitalizations play out.

There is also confusion as neighboring states like Minnesota have a 72-hour hold law which also then addresses issues of weekends and holidays.

The bill before you is the amended version as the Senate Human Service Committee, 6 to 0, changed the bill to address the practical issues of North Dakota travel times, assessment requirements, weekends, holidays and Minnesota law. The Senate passed the amended version 45 to 0. I think they made the bill better.

I ask you for a Do Pass recommendation on SB 2171.

Thank you for your service to our state.