



North Dakota House of Representatives

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House Bill 1252 Senate Human Services Committee Testimony of Rep. Gretchen Dobervich, Bill Sponsor March 5, 2025

Good Afternoon Madam Chair and Members of the Senate Human Services Committee. For the record my name is Representative Gretchen Dobervich. I work for the people of District 11 in Fargo. I come before you today with a bill to amend section 50-24.1-40 of North Dakota Century Code.

In this section of code, the North Dakota Department of Health and Human Services is directed to deposit 80% of the State's regular share of Federal Medical Assistance funding which is the result of a care coordination agreement between a health care provider and a tribal health organization into the State Treasury Tribal Care Coordination Fund and 20% into the General Fund.

Under current law there is a sunset clause which limits use of these funds by Tribal Nations to no more than 50% for capital construction projects through June 30, 2025, and no more than 35% after. Due to the time required to establish administrative rules, care coordination agreements to be approved by the legal departments of all parties involved, and the initial funds to be collected and distributed, there was not adequate time for capital construction projects to be considered in the time set in the legislation.

HB 1252 seeks to provide Tribal Nations with the opportunity to utilize these funds for capital construction projects with no mandated percentage or time frame to honor tribal sovereignty and respect that the mechanics of the process of obtaining signed care coordination agreements and collecting and redistributing the funds did not fall within the prescribed window of time for capital construction to be realized.

In accordance with existing law, passage of HB 1252 would still require any capital construction projects to meet the condition that they are directly associated with the ten essentials of public health. Participating Tribal Nations would continue to be required to complete and submit an annual report to the NDDHHS, as would NDDHHS be required to provide an annual report and audit report to Legislative Management before August of even-numbered years.

I am not personally aware of any capital construction projects that were being considered and am submitting this bill to amend the sunset clause based on knowledge of the implementation process, time, and unanticipated "glitches" in systems that shortened the time in which funds became available, and the construction clause would sunset. In good faith, North Dakota's government should uphold the ability of Tribal Nations receiving funds from the State Treasury Tribal Care Coordination Fund to fully utilize these funds.

A copy of my testimony, a copy of the financial presentation provided in the House testimony from the NDDHHS, and a copy of the 10 Essentials of Public Health have been uploaded to LAWS. This concludes my testimony, and I stand for any questions. Thank you Madam Chair and members of the Committee.