

Engrossed House Bill No. 1556
Senate Human Services Committee
Senator Lee, Chairman
March 12, 2025

Chairman Lee, and members of the Senate Human Services Committee, I am Jonathan Alm, an attorney with the Department of Health and Human Services (Department). I appear before you to explain Engrossed House Bill No. 1556.

Engrossed House Bill No. 1556 applies the established practices under chapter 27-20.3 and allows for the preservation of the family unit, for the human service zone to take custody of the child based on a court order, to offer and provide treatment, and preserves the ability to terminate parental rights, if needed. This Bill preserves the family relationship by creating a pathway that clearly outlines the child's need for additional out of home services while maintaining family connection.

Section 1:

Overall, Section 1 of this Bill removes the label that a family did not provide proper parental care or control, abandoned the child, or abused or neglected the child, when the reason behind the family seeking assistance falls under the new subdivision i of subsection 5 of section 27-20.3-01, child in need of protection.

The addition on page 2, lines 8-15, expands the definition of "child in need of protection" to any child who is in need of care and treatment and has been diagnosed with a severe mental health condition or behavioral health disorder by a licensed child psychologist or psychiatrist; has committed an act of a violent or sexual nature against another family member living in the household, which if committed by an adult would be considered a crime under the laws of this state; and whose parent is unable to provide proper control of the child and is in fear for the safety of a family member living in the same household as the child. All three of the

elements described in page 2, lines 8-15 need to be present for this definition to be met.

Section 2:

Page 2, lines 20 and 21 and page 3, line 1, adds language to allow the court to order the disposition best suited to the protection of the child or family.

Section 3:

Page 3, lines 21 and 22, removes the label that a child is considered abused or neglected for the sole purpose of the family seeking care and treatment of a child due to the three provisions under subdivision i of subsection 5 of section 27-20.3-01. This change does not prohibit the court from still finding that a child was abused or neglected, if abuse or neglect occurred.

Page 5, lines 15 through 17, is added to recognize that a child may actually not be abused or neglected if the child entered foster care for the purpose of subdivision i of subsection 5 of section 27-20.3-01.

Section 4:

Page 6, line 18 is the emergency clause.