

**2023 HOUSE HUMAN SERVICES**

**HB 1045**

# 2023 HOUSE STANDING COMMITTEE MINUTES

## Human Services Committee Pioneer Room, State Capitol

HB 1045  
1/10/2023

Relating to a life safety survey process of any health care facility licensed by the department of health and human services.
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Chairman Weisz called the meeting to order at 9:30am.

Chairman Robin Weisz, Vice Chairman Matthew Ruby, Reps. Karen A. Anderson, Mike Beltz, Kathy Frelich, Dawson Holle, Dwight Kiefert, Carrie McLeod, Todd Porter, Brandon Prichard, Karen M. Rohr, Jayme Davis, and Gretchen Dobervich present. Rep. Fegley not present.

### **Discussion Topics:**

- License reviews
- Third party plan reviewers and consultants
- Policy language
- Time requirements for health care projects
- Preference for reviewers and consultants

Karla Aldinger, the Unit Director of Life Safety and Construction (LSC) within the Division of Public Health at the North Dakota Department of Health and Human Services, introduced HB 1045 with supportive testimony (#12670).

Tim Wiedrick, Section leader for health care facilities within the North Dakota Department of Health, spoke with a neutral position on HB 1045.

Chairman Weisz called Karla Aldinger, the Unit Director of Life Safety and Construction (LSC) within the Division of Public Health at the North Dakota Department of Health and Human Services, to the podium for additional questions relating to HB 1045.

Tim Blasick, North Dakota House Bill Association, spoke in opposition to HB 1045.

Shelly Peterson, North Dakota Long-term Care Association, spoke in opposition to HB 1045.

Tim Wiedrick, Section leader for health care facilities within the North Dakota Department of Health, answered additional questions from the committee.

Chairman Weisz adjourned the meeting at 10:03am.

*Phillip Jacobs, Committee Clerk*

# 2023 HOUSE STANDING COMMITTEE MINUTES

## Human Services Committee Pioneer Room, State Capitol

HB 1045  
1/10/2023

Relating to a life safety survey process of any health care facility licensed by the department of health and human services.
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Chairman Weisz called the meeting to order at 3:20PM.

Chairman Robin Weisz, Vice Chairman Matthew Ruby, Reps. Karen A. Anderson, Mike Beltz, Kathy Frelich, Dawson Holle, Dwight Kiefert, Carrie McLeod, Brandon Prichard, Karen M. Rohr, Jayme Davis, and Gretchen Dobervich present. Rep. Clayton Fegley and Rep. Todd Porter not present.

### **Discussion Topics:**

- Large health care facility projects criteria
- Safety regulations
- Changing regulations
- Past construction on health care facilities
- Health care facilities architects

Chairman Weisz called for a discussion on health care facility regulations.

Chairman Weisz adjourned the meeting at 3:51PM.

*Phillip Jacobs, Committee Clerk*

# 2023 HOUSE STANDING COMMITTEE MINUTES

## Human Services Committee Pioneer Room, State Capitol

HB 1045  
2/8/2023

Relating to a life safety survey process of any health care facility licensed by the department of health and human services.
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Chairman Weisz called the meeting to order at 10:18 AM.

Chairman Robin Weisz, Vice Chairman Matthew Ruby, Reps. Karen A. Anderson, Mike Beltz, Clayton Fegley, Kathy Frelich, Dawson Holle, Dwight Kiefert, Carrie McLeod, Todd Porter, Brandon Prichard, Karen M. Rohr, Jayme Davis, and Gretchen Dobervich. All present.

### Discussion Topics:

- Committee work
- Proposed amendment (23.8044.01001)

Chairman Weisz proposed an amendment to HB 1045 (23.8044.01001)

Representative Rohr moved to amend HB 1045.

Seconded by Representative Dobervich.

Voice Vote: Motion carries

Representative Anderson moved a do pass as amended on HB 1045.

Seconded by Representative McLeod.

Roll Call Vote:

Representatives	Vote
Representative Robin Weisz	Y
Representative Matthew Ruby	Y
Representative Karen A. Anderson	Y
Representative Mike Beltz	Y
Representative Jayme Davis	Y
Representative Gretchen Dobervich	Y
Representative Clayton Fegley	Y
Representative Kathy Frelich	Y
Representative Dawson Holle	Y
Representative Dwight Kiefert	Y
Representative Carrie McLeod	Y
Representative Todd Porter	Y
Representative Brandon Prichard	Y
Representative Karen M. Rohr	Y

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Motion carries 14-0-0

Bill Carrier: Representative Fegley.

Chairman Weisz adjourned the meeting at 10:26 AM.

*Phillip Jacobs, Committee Clerk*

February 8, 2023

off  
2-8-23

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1045

Page 2, line 3, remove "may require the licensed provider to"

Page 2, remove line 4

Page 2, line 5, remove "project submission. The department"

Page 2, line 11, after "dollars" insert ", and less than fifteen million dollars."

Page 2, after line 12, insert:

"d. More than fifteen million dollars by notifying the applicant of the time the department will require to complete the review, allowing the applicant to determine whether to use a third-party reviewer."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1045: Human Services Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1045 was placed on the Sixth order on the calendar.

Page 2, line 3, remove "may require the licensed provider to"

Page 2, remove line 4

Page 2, line 5, remove "project submission. The department"

Page 2, line 11, after "dollars" insert ", and less than fifteen million dollars."

Page 2, after line 12, insert:

"d. More than fifteen million dollars by notifying the applicant of the time the department will require to complete the review, allowing the applicant to determine whether to use a third-party reviewer."

Re-number accordingly

**2023 SENATE HUMAN SERVICES**

**HB 1045**



# 2023 SENATE STANDING COMMITTEE MINUTES

**Human Services Committee**  
Fort Lincoln Room, State Capitol

HB 1045  
3/1/2023

Relating to a life safety survey process of any health care facility licensed by the department of health and human services
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1:46 PM **Madam Chair Lee** called the hearing to order. **Senators Lee, Cleary, Clemens, K. Roers, Hogan** were present. **Senator Weston** was absent.

**Discussion Topics:**

- Project costs
- Project completed

1:55 PM **Karla Aldinger, Unit Director of Life Safety and Construction, North Dakota Department of Health and Human Services**, testified in favor. #21411

1:53 PM **Madam Chair Lee** closed the hearing and will reopen it on 3/7/2023.

*Patricia Lahr, Committee Clerk*

# 2023 SENATE STANDING COMMITTEE MINUTES

**Human Services Committee**  
Fort Lincoln Room, State Capitol

HB 1045  
3/7/2023

Relating to a life safety survey process of any health care facility licensed by the department of health and human services
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2:35 PM **Vice Chairman Cleary** called the meeting to order. **Senators Cleary, Clemens, K. Roers, Hogan, Weston** are present. **Madam Chair Lee** was absent.

### Discussion Topics:

- Life safety instructions
- Meet code

Hearing held on March 1, 2023 was held open until today's meeting to provide the opportunity for additional testimony.

**Vice- Chairman Cleary** reopened the hearing

2:36 PM **Tim Wiedrich, Health Response and Licensure Section Chief ND Department of Health and Human Services**, provided additional information in favor verbal

**Senator K. Roers** moved **to adopt amendment**, line 21 insert department of health and human services.

**Senator Hogan** seconded the motion.

Roll call vote.

<b>Senators</b>	<b>Vote</b>
Senator Judy Lee	AB
Senator Sean Cleary	Y
Senator David A. Clemens	Y
Senator Kathy Hogan	Y
Senator Kristin Roers	Y
Senator Kent Weston	Y

The motion passed 5-0-1

**Senator K. Roers** moves **DO PASS AS AMENDED**.

**Senator Hogan** seconded the motion.

Roll call vote.

<b>Senators</b>	<b>Vote</b>
Senator Judy Lee	AB
Senator Sean Cleary	Y
Senator David A. Clemens	Y
Senator Kathy Hogan	Y
Senator Kristin Roers	Y
Senator Kent Weston	Y

The motion passed 5-0-1.

**Senator K. Roers** will carry HB1045.

2:42 PM **Vice-Chairman Cleary** closed the meeting.

*Patricia Lahr, Committee Clerk*

23.8044.02001  
Title.03000

Adopted by the Senate Human Services  
Committee

March 7, 2023

BR

121

3-7-23

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1045

Page 2, line 21, after "department" insert "of health and human services"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1045, as engrossed: Human Services Committee (Sen. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1045 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 2, line 21, after "department" insert "of health and human services"

Renumber accordingly

**TESTIMONY**

**HB 1045**

Good afternoon, Chairman Weisz and members of the House Human Services Committee. I am Karla Aldinger and I am the Unit Director of Life Safety and Construction (LSC) within the Division of Public Health at the North Dakota Department of Health and Human Services (Department). I am here in support of House Bill 1045.

The 2019 North Dakota State Legislature established a requirement allowing licensed providers an option to utilize third-party plan reviewers who have a contract with the State of North Dakota. That option has been available since August 2020; to date, two (2) third-party reviewers have been utilized. The provision in Bill 1045 would allow the Department to have the authority to require the licensed provider to use a third-party reviewer if the current workload, or the scope of projects under review, does not permit us to meet the specified review timelines as noted in SB 2241.

During the past year, the Department has run into issues when providing the option to utilize a third-party plan reviewer.

One example of an issue occurred when a licensed provider did not want to pay the third-party reviewer's fee and initially held up the project from being reviewed. During negotiations of review service fees, the owner would not accept the cost of the third-party plan review fee plus the LSC oversight cost. In the end, to make the project proceed in a timely manner, it was determined that LSC would handle the licensed provider review response comments within our fees, which typically would be handled by the third-party plan review vendor. The owner agreed to this arrangement, but this added a burden to LSC's already heavy workload. This delay also prevented us from meeting our specified timeline.

If it is left up to the licensed provider, they could walk away from the third-party reviewer due to the third-party reviewer's fee and then it falls back on

LSC's plate to complete the review. This does not align with the intent of the legislation in 2019.

This bill would provide the Department the authority to require the licensed provider to use a third-party reviewer depending on the Department's workload at the time of project submission.

Thank you for the opportunity to appear before you today. I would be happy to respond to any questions you may have.



Good morning, Chairman Lee and members of the Senate Human Services Committee. I am Karla Aldinger, and I am the Unit Director of Life Safety and Construction (LSC) within the Division of Public Health at the North Dakota Department of Health and Human Services (Department). I am here in support of House Bill 1045 and the amendments that have been made.

The Unit of Life Safety and Construction, the North Dakota Long Term Care Association, and the North Dakota Hospital Association worked together to provide input for House Bill 1045. If circumstances were to arise where LSC cannot meet the current deadlines, the passage of this bill preserves the choice of the licensed provider to utilize the department's services, rather than using a third-party reviewer. We believe this bill appropriately addresses these rarely occurring circumstances.

Thank you for the opportunity to appear before you today. I would be happy to respond to any questions you may have.