

**2025 SENATE HUMAN SERVICES**

**SB 2081**

# 2025 SENATE STANDING COMMITTEE MINUTES

## Human Services Committee Fort Lincoln Room, State Capitol

SB 2081  
1/8/2025

Geropsychiatric facilities.
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12:58 p.m. Chairman Lee called the meeting to order.

Members Present: Chairman Lee, Vice-Chairman Weston, Senator Clearly, Senator Van Oosting, Senator Hogan, Senator Roers.

### Discussion Topics:

- Admission and type of patients
- Definition of Geropsychiatric
- Language of amendments

1:00 p.m. Pamela Sagness, ND Department of Health and Human Services testified in favor of and submitted testimony #28233.

1:03 p.m. Nikki Wegner, President of the North Dakota Long Term Care Association testified in favor and submitted testimony #28187.

1:08 p.m. Amy Cride testified in favor.

1:16 p.m. Denise Harvey, Protection and advocacy testified in favor.

1:20 p.m. Chairman Lee closed hearing.

1:20 p.m. Senator Roers moved a Do Pass on Amendment LC #25.8095.01001.

1:20p.m. Senator Hogan seconded the motion.

Senators	Vote
Senator Judy Lee	Y
Senator Kent Weston	Y
Senator David A. Clemens	Y
Senator Kathy Hogan	Y
Senator Kristin Roers	Y
Senator Desiree Van Oosting	Y

1:22 p.m. Motion Passed 6-0-0

1:23 p.m. Senator Hogan moved Do Pass as amended.

1:23 p.m. Senator Weston seconded the motion.

Senators	Vote
Senator Judy Lee	Y
Senator Kent Weston	Y
Senator David A. Clemens	Y
Senator Kathy Hogan	Y
Senator Kristin Roers	Y
Senator Desiree Van Oosting	Y

1:25 p.m. Motion Passed 6-0-0.

1:25 p.m. Senator Weston will carry the bill.

**Additional written testimony:**

Rebecca Quinn, submitted testimony in support #28209

1:26 p.m. Chairman Lee closed the hearing.

*Andrew Ficek, Committee Clerk*

*Bill reconsidered on 01/13/25*

January 8, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO

### SENATE BILL NO. 2081

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 section 50-24.4-29 of the North Dakota Century Code,  
2 relating to geropsychiatric facilities.

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

4 **SECTION 1. AMENDMENT.** Section 50-24.4-29 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **50-24.4-29. Geropsychiatric facilities.**

7 The department may select ~~one or more~~ skilled nursing ~~homes~~ facilities within the state to  
8 operate a unit that ~~exclusively~~ provides geropsychiatric services. Admission to one of the skilled  
9 nursing homes facilities that ~~exclusively~~ provides geropsychiatric services ~~for the purpose of~~  
10 ~~individuals receiving geropsychiatric services~~ may be granted only after the state hospital has  
11 performed an evaluation of the individual being admitted which ~~department~~ indicates the  
12 individual, ~~over the age of twenty one,~~ is in need of nursing home geropsychiatric services the  
13 skilled nursing facility determines the individual meets the criteria for skilled nursing, and needs  
14 psychiatric behavioral health services. Admissions from the state hospital will be given first  
15 priority for admission to the units. If at any time the department determines that the number of  
16 approved ~~geropsychiatric units~~ that provide geropsychiatric services in the state is insufficient to  
17 meet the needs, the department may select a ~~geropsychiatric unit~~ additional units based on the  
18 experience, qualification, and capacity of the skilled nursing ~~homes~~ facilities that propose to  
19 provide geropsychiatric services. ~~The state hospital may not offer geropsychiatric services~~  
20 ~~through a unit set up exclusively to provide those services.~~

**Testimony on Amending Geropsychiatric Facilities  
Senate Human Services Committee  
January 8, 2025  
Senate Bill 2081**

Chair Judy Lee and members of the Senate Human Services Committee, my name is Nikki Wegner, President of the North Dakota Long Term Care Association. Our association represents North Dakota's three geropsychiatric skilled nursing facilities. Thank you for the opportunity to testify in support of Senate Bill 2081, with the proposed amendments. This amendment updates Section 50-24.4-29 of the North Dakota Century Code, modernizing outdated language to reflect current practices. It clarifies that individuals do not need to be admitted to the State Hospital before being considered for a geropsychiatric facility, while maintaining the practice of prioritizing State Hospital referrals when openings are available. The amendment also refines the admission process, ensuring individuals require both skilled nursing and psychiatric services. These updates support geropsychiatric facilities in better serving those most in need while fulfilling their specialized role.

Thank you for your time and consideration, and I am happy to answer any questions.

Nikki Wegner MS, OTR/L, President  
North Dakota Long Term Care Association  
1900 North 11<sup>th</sup> Street  
Bismarck, ND 58501  
(701) 222-0660  
[nikki@ndltca.org](mailto:nikki@ndltca.org)

**Senate Human Services Committee**  
**January 8, 2025**  
**Senate Bill 2081- Testimony on Amending Geropsychiatric Facilities**

Chair Lee and members of the Senate Human Services Committee, my name is Rebecca Quinn, and I serve as the associate director for behavioral health at the Center for Rural Health at the University of North Dakota School of Medicine and Health Sciences. I am providing testimony in support of Senate Bill 2081 regarding geropsychiatric facilities.

During the interim period I participated in a Long-Term Care and Psychiatric Facility Collaborative. The amended language proposed in SB 2081 was brought forward as a priority of this collaborative to clarify and modernize the process for admission to geropsychiatric facilities. Doing so will make for a smoother process and ensure there is efficient access to specialized care for individuals in need of specialized care.

Thank you for your consideration,

Rebecca Quinn; LMSW, CBIST  
Associate Director  
Center for Rural Health

1301 N Columbia Road, Stop 9037  
Grand Forks, ND 58202-9037

**Testimony**  
**Senate Bill No.2081**  
**Human Services Committee**  
**Senator Lee Chairman**  
January 8, 2025

Chairman Lee, and members of the Human Services Committee, I am Pamela Sagness with the Department of Health and Human Services, Behavioral Health Division. I appear before you in support of Senate Bill No. 2081, which was introduced at the request of the Department.

The proposed changes in this Bill amend 50-24.4-29 regarding geropsychiatric facilities to align the language to current process. Current language requires the North Dakota State Hospital to have performed an evaluation of the individual being admitted to a geropsychiatric facility. Removing this language allows for avoidance of unnecessary evaluations by the North Dakota State Hospital. The proposed process aligns to improved patient care as an individual may transfer directly if already evaluated by another provider.

On lines 16-17 the Department requests to remove the language that prohibits the North Dakota State Hospital from offering "geropsychiatric services through a unit set up exclusively to provide these services". Although not currently planned, removing this section allows the Department to be responsive to future needs if there is not adequate service available in the private sector.

Earlier this week we met with the Long Term Care Association and would like to offer an amendment to clarify that admissions from the North Dakota State Hospital will be given first priority but that the Department does not generally oversee admission.





In 2024, 15.86% of North Dakotans were age 65 and over. According to the World Health Organization, 1 in 6 individuals in the world will be age 60 and over, forecasting a significant increase in need for long-term care options to adequately care for the aging population. Approximately 14.6% of the older population has a mental health condition. Due to additional medical conditions related with aging and additional risk factors, geropsychiatric facilities are a necessary component in the continuum of care to adequately serve this population.

This concludes my testimony. I would be happy to try to answer any questions the committee may have. Thank you.

# 2025 SENATE STANDING COMMITTEE MINUTES

## Human Services Committee Fort Lincoln Room, State Capitol

SB 2081  
1/13/2025

A BILL for an Act to amend and reenact section 50-24.4-29 of the North Dakota Century Code, relating to geropsychiatric facilities.

2:44 p.m. Chairman Lee called the meeting to order.

Members Present: Chairman Lee, Vice-Chairman Weston, Senator Van Oosting, Senator Clemens, Senator Hogan, Senator Roers. No members absent.

### Discussion Topics:

- Reconsider the amendment

2:46 p.m. Senator K. Roers moved to reconsider.

2:46 p.m. Senator Hogan seconded the motion.

2:46 p.m. Chairman Lee called for a voice vote.

2:46 p.m. Voice vote motion passed.

2:49 p.m. Senator Roers moved to adopt amendment LC#25.8095.01002.

2:49 p.m. Senator Hogan seconded the motion.

Senators	Vote
Senator Judy Lee	Y
Senator Kent Weston	Y
Senator David A. Clemens	Y
Senator Kathy Hogan	Y
Senator Kristin Roers	Y
Senator Desiree Van Oosting	Y

2:49 p.m. Motion passed 6-0-0.

2:49 p.m. Senator Hogan moved Do Pass as Amended.

2:50 p.m. Senator Roers seconded the motion.

Senators	Vote
Senator Judy Lee	Y
Senator Kent Weston	Y
Senator David A. Clemens	Y

Senator Kathy Hogan	Y
Senator Kristin Roers	Y
Senator Desiree Van Oosting	Y

2:51 p.m. Motion Passed 6-0-0.

2:51 p.m. Senator Weston will carry the bill.

2:51 p.m. Chairman Lee closed the meeting.

*Andrew Ficek, Committee Clerk*

January 13, 2025

RS 1/13/25  
1 of 1

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO

### SENATE BILL NO. 2081

Introduced by

Human Services Committee

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

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2 relating to geropsychiatric facilities.

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

4 **SECTION 1. AMENDMENT.** Section 50-24.4-29 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **50-24.4-29. Geropsychiatric facilities.**

7 The department may select ~~one or more~~ skilled nursing ~~homes~~ facilities within the state to  
8 operate a unit that ~~exclusively~~ provides geropsychiatric services. Admission to one of the skilled  
9 nursing ~~homes~~ facilities that ~~exclusively~~ provides geropsychiatric services ~~for the purpose of~~  
10 ~~individuals receiving geropsychiatric services~~ may be granted only after ~~the state hospital has~~  
11 ~~performed an evaluation of the individual being admitted which~~ department indicates the  
12 individual, over the age of twenty one, is in need of nursing home geropsychiatric services an  
13 individual practicing within the scope of their practice determines the individual meets the  
14 criteria for skilled nursing, and needs psychiatric behavioral health services. Admissions from  
15 the state hospital will be given first priority for admission to the units. If at any time the  
16 department determines that the number of approved ~~geropsychiatric~~ units that provide  
17 geropsychiatric services in the state is insufficient to meet the needs, the department may  
18 select ~~a geropsychiatric unit~~ additional units based on the experience, qualification, and capacity  
19 of the skilled nursing ~~homes~~ facilities that propose to provide geropsychiatric services. ~~The state~~  
20 ~~hospital may not offer geropsychiatric services through a unit set up exclusively to provide those~~  
21 ~~services.~~

**REPORT OF STANDING COMMITTEE  
SB 2081**

**Human Services Committee (Sen. Lee, Chairman)** recommends **AMENDMENTS** ([25.8095.01002](#)) and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2081 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

**2025 HOUSE HUMAN SERVICES**

**SB 2081**

# 2025 HOUSE STANDING COMMITTEE MINUTES

## Human Services Committee Pioneer Room, State Capitol

SB 2081  
3/5/2025

Relating to geropsychiatric facilities.
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2:29 p.m. Chairman M. Ruby opened the hearing.

Members Present: Chairman M. Ruby, Vice-Chairman Frelich, Representatives K. Anderson, Beltz, Bolinske, Davis, Fegley, Hendrix, Holle, Kiefert, Rios, Rohr

Members Absent: Representatives Dobervich

### Discussion Topics:

- Evaluation and admission
- Long-term care options
- Skilled nursing facilities
- Psychiatric services

2:29 p.m. Pam Sagness, Executive Director for Behavioral Health, ND Health and Human Services, testified in support and distributed testimony #38777.

2:37 p.m. Nikki Wegner, President of ND Long Term Care Association, testified in support and submitted testimony #38435.

2:41 p.m. Denise Harvey, Program Director, ND Protection and Advocacy, testified in opposition and submitted testimony #38834.

2:46 p.m. Chairman M. Ruby closed the hearing.

*Mary Brucker, Committee Clerk, for Jackson Toman, Committee Clerk*

**Testimony on Amending Geropsychiatric Facilities**  
**House Human Services Committee**  
**March 5, 2025**  
**Senate Bill 2081**

Chairman Ruby and members of the House Human Services Committee, my name is Nikki Wegner, President of the North Dakota Long Term Care Association. Our association represents North Dakota's three geropsychiatric skilled nursing facilities. Thank you for the opportunity to testify in support of the amended Senate Bill 2081. The proposed amendment updates Section 50-24.4-29 of the North Dakota Century Code, modernizing outdated language to reflect current practices. It clarifies that individuals do not need to be admitted to the State Hospital before being considered for a geropsychiatric facility, while maintaining the practice of prioritizing State Hospital referrals when openings are available. The amendment also refines the admission process, ensuring individuals require both skilled nursing and psychiatric services. These updates support geropsychiatric facilities in better serving those most in need while fulfilling their specialized role.

Thank you for your time and consideration, and I am happy to answer any questions.

Nikki Wegner MS, OTR/L, President  
North Dakota Long Term Care Association  
1900 North 11<sup>th</sup> Street  
Bismarck, ND 58501  
(701) 222-0660  
[nikki@ndltca.org](mailto:nikki@ndltca.org)





Health &amp; Human Services

**Testimony**  
**Engrossed Senate Bill No.2081**  
**House Human Services Committee**  
**Representative Ruby Chairman**  
March 5, 2025

Chairman Ruby, and members of the Human Services Committee, I am Pamela Sagness with the Department of Health and Human Services, Behavioral Health Division. I appear before you in support of Engrossed Senate Bill No. 2081, which was introduced at the request of the Department to amend ND Century Code 50-24.4-29 regarding Geropsychiatric Facilities.

The proposed changes in this Bill align the language to current process. Current language (lines 10-12) requires the North Dakota State Hospital to perform an evaluation of the individual being admitted to a geropsychiatric facility. Removing this language allows for avoidance of unnecessary evaluations by the North Dakota State Hospital. The proposed process (lines 12-14) aligns to improved patient care as an individual may transfer directly to a geropsychiatric facility if evaluated by a qualified provider.

The Department worked with the Long-Term Care Association on the language identified in lines 14-15 to clarify that admissions from the State Hospital will be given first priority.

On lines 19-20 the Department requests to remove the language that prohibits the State Hospital from offering "geropsychiatric services through a unit set up exclusively to provide these services". Although not currently planned, removing this section allows the Department to be responsive to future needs if there is not adequate service available in the private sector.

In 2024, 15.86% of North Dakotans were age 65 and over. According to the World Health Organization, 1 in 6 individuals in the world will be age 60 and over, forecasting a significant increase in need for long-term care options to adequately care for the aging population. Approximately 14.6% of this population has a mental health condition. Due to additional medical conditions related with aging and additional risk factors, geropsychiatric facilities are a necessary component in the continuum of care to adequately serve this population.

This concludes my testimony. I would be happy to try to answer any questions the committee may have. Thank you.



# Protection & Advocacy Project

400 E. Broadway, Suite 409  
Bismarck, ND 58501



701-328-2950  
1-800-472-2670  
TTY: 711



[www.ndpanda.org](http://www.ndpanda.org)



## House Human Services

### Senate Bill 2081

### Testimony of Denise Harvey, Protection & Advocacy Program Director

**March 5, 2025**

Chairman Ruby and members of the House Human Services. I am Denise Harvey, Director of Program Services for Protection & Advocacy (P&A). P&A is an independent state agency established in 1977 to assert and advance the human, civil, and legal rights of people with disabilities. The agency's programs and services seek to make positive changes for people with disabilities where we live, learn, work and play.

Protection & Advocacy opposes this bill. It is respectfully recommended that prior to any admissions to a unit that provides geropsychiatric services in a nursing home, consultation should be made with an agency such as a Center for Independent Living or another advocacy organization to determine eligibility for home and community-based services. For individuals with brain injury, consultation should be made with staff that work with home and community-based services/residential habilitation regarding options. Individuals, family members and agencies should be aware of the full continuum of care prior to considering nursing home placement for individuals. Input from the individual and the specific types of services available to meet needs should be considered during this process.

P&A opposes the bill language which allows for the department to expand the number of geropsychiatric units in skilled nursing homes at any time. This would increase the reliance on institutional care vs. home and community-based services. P&A recommends that home and

community-based services be built up in a robust manner to increase the number of persons living in the least restrictive environment in the community. At a minimum, language must be added to this bill which identifies a moratorium limiting the number of geropsychiatric units. Additional options should continue to be explored, to ensure that persons are in the most integrated settings possible in the community and for the state of ND to be in compliance with the Olmstead decision.

In addition, consultations should be made regarding the use of Assistive Technology (AT). AT is an option that maintains independence for persons with disabilities, including those with mental illness. AT can assist with needs to include medication management, wandering, mobility aids and the use of personal emergency response systems. AT can assist individuals to address issues related to their mental illness to include blocking or managing auditory hallucinations, calming, monitoring symptoms and identifying coping strategies.

There are individuals in our state who are eligible for care in a geropsychiatric unit at a nursing home level care but were able to obtain home and community-based services which has allowed them to successfully live independently with the needed support. An example is an individual that was in a nursing home prior to placement in a state institution and was not accepted at any nursing homes over a period due to symptoms related to a mental illness. With no other options available, a placement was sought out in an apartment setting with home and community-based services. It was found that the individual did not require nursing home care, and she was able to live successfully in an apartment. Another example is an individual at a state institution with mental illness and a brain injury with a history of numerous placements in nursing homes. Persons working with the individual were open to residential habilitation services which offers up to 24-hour care in a home setting for individuals with brain injury. This person successfully transitioned into an apartment setting, for the first time in close to a decade living successfully in the community.

Thank you for your time and consideration.

Denise Harvey, Director of Program Services  
Protection & Advocacy

# 2025 HOUSE STANDING COMMITTEE MINUTES

## Human Services Committee Pioneer Room, State Capitol

SB 2081  
3/19/2025

Relating to geropsychiatric facilities.
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9:42 a.m. Chairman M. Ruby opened the meeting.

Members Present: Chairman M. Ruby, Vice-Chairman Frelich, Representatives K. Anderson, Beltz, Bolinske, Dobervich, Fegley, Holle, Kiefert, Rohr

Members Absent: Representatives Davis, Hendrix, Rios

### Discussion Topics:

- Committee action

9:44 a.m. Representative K. Anderson moved a Do Pass.

9:44 a.m. Representative Holle seconded the motion.

Representatives	Vote
Representative Matthew Ruby	Y
Representative Kathy Frelich	Y
Representative Karen Anderson	Y
Representative Mike Beltz	Y
Representative Macy Bolinske	Y
Representative Jayme Davis	AB
Representative Gretchen Dobervich	Y
Representative Cleyton Fegley	Y
Representative Jared Hendrix	AB
Representative Dawson Holle	Y
Representative Dwight Kiefert	Y
Representative Nico Rios	AB
Representative Karen Rohr	Y

9:49 a.m. Motion passed 10-0-3.

Representative K. Anderson will carry the bill.

9:50 a.m. Chairman M. Ruby closed the meeting.

*Jackson Toman, Committee Clerk*

**REPORT OF STANDING COMMITTEE  
ENGROSSED SB 2081 ([25.8095.03000](#))**

**Human Services Committee (Rep. M. Ruby, Chairman)** recommends **DO PASS** (10 YEAS, 0 NAYS, 3 ABSENT OR EXCUSED AND NOT VOTING). SB 2081 was placed on the Fourteenth order on the calendar.