

Fifty-sixth  
Legislative Assembly  
of North Dakota

**SENATE BILL NO. 2035**

Introduced by

Legislative Council

(Budget Committee on Long-Term Care)

1 A BILL for an Act to create and enact a new section to chapter 50-24.4 of the North Dakota  
2 Century Code, relating to limits on geropsychiatric nursing facilities; and to amend and reenact  
3 section 50-24.4-13 of the North Dakota Century Code, relating to exceptions to case mix  
4 nursing home rates.

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

6 **SECTION 1. AMENDMENT.** Section 50-24.4-13 of the North Dakota Century Code is  
7 amended and reenacted as follows:

8 **50-24.4-13. Exclusion.** Until procedures for determining operating cost payment rates  
9 according to mix of resident needs are established for nursing homes that exclusively provide  
10 residential services for ~~the nongeriatric physically handicapped individuals with physical~~  
11 disabilities or units within nursing homes which exclusively provide geropsychiatric services,  
12 such nursing homes or units within nursing homes may not be included in the calculation of the  
13 percentiles of any group. Each of these nursing homes or units within nursing homes shall  
14 receive ~~their~~ its actual allowed historical operating cost per diem adjusted by a percentage  
15 amount equal to the increase, if any, in the national or state economic change index, made  
16 available under section 50-24.4-10, and which the department determines to be relevant to  
17 residential services for ~~the nongeriatric physically handicapped individuals with physical~~  
18 disabilities or geropsychiatric services.

19 **SECTION 2.** A new section to chapter 50-24.4 of the North Dakota Century Code is  
20 created and enacted as follows:

21 **Limits on geropsychiatric facilities.** The number of units within nursing homes  
22 which exclusively provide geropsychiatric services may not exceed one, and the licensed  
23 capacity of a unit within a nursing home which exclusively provides geropsychiatric services  
24 may not exceed fourteen beds. After a geropsychiatric unit has been established within a

- 1 nursing home, the state hospital may not offer geropsychiatric services through a separate
- 2 geopsychiatric unit.