

**FIRST ENGROSSMENT  
with Senate Amendments**

**ENGROSSED HOUSE BILL NO. 1385**

Introduced by

Representative Delzer

1 A BILL for an Act to amend and reenact section 50-06-06.13 of the North Dakota Century  
2 Code, relating to treatment services for children with serious emotional disorders.

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

4 **SECTION 1. AMENDMENT.** Section 50-06-06.13 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **50-06-06.13. Treatment services for children with serious emotional disorders.**

7 The department shall establish in all human service regions a program to provide out-of-home  
8 treatment services for a medicaid-eligible child with a serious emotional disorder. ~~If a child is~~  
9 ~~placed in an out-of-home treatment program established under this section, the juvenile court~~  
10 ~~must make a judicial determination as to whether the placement is in the best interests of the~~  
11 ~~child.~~ The department may not require a parent or legal guardian to transfer legal custody of  
12 the child in order to have the child placed in an out-of-home treatment program when the sole  
13 reason for the placement is the need to obtain services for the child's emotional or behavioral  
14 problems.