

**FIRST ENGROSSMENT
with Conference Committee 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~~ If both parents or the legal guardian agrees to the voluntary placement, the
12 department may not require a parent or legal guardian to transfer legal custody of the child in
13 order to have the child placed in an out-of-home treatment program when the sole reason for
14 the placement is the need to obtain services for the child's emotional or behavioral problems.