

Fifty-ninth  
Legislative Assembly  
of North Dakota

## ENGROSSED HOUSE BILL NO. 1012

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the department of  
2 human services; to provide an exception; to provide for a legislative council study; to provide for  
3 a transfer to the general fund; and to provide for the transfer of appropriation authority.

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

5 **SECTION 1. BASE LEVEL FUNDING INFORMATION.** The amounts identified in this  
6 section represent the base level funding component appropriated to the department of human  
7 services in section 3 of this Act as follows:

8 Subdivision 1.

9	MANAGEMENT	
10	Salaries and wages	\$11,016,285
11	Operating expenses	33,567,188
12	Capital assets	2,694
13	Developmentally disabled facility loan fund	<u>3,261,556</u>
14	Total all funds - Base level	\$47,847,723
15	Less estimated income - Base level	<u>34,130,107</u>
16	Total general fund - Base level	\$13,717,616

17 Subdivision 2.

18	PROGRAM AND POLICY	
19	Salaries and wages	\$22,053,781
20	Operating expenses	37,381,409
21	Capital assets	39,672
22	Grants	288,687,725
23	Grants - Medical assistance	<u>921,677,174</u>
24	Total all funds - Base level	\$1,269,839,761

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1	Less estimated income - Base level	<u>959,092,082</u>
2	Total general fund - Base level	\$310,747,679
3	Subdivision 3.	
4	MENTAL HEALTH COMMUNITY SERVICES CONTINGENCY	
5	Total general fund - Base level	\$250,000
6	NORTHWEST HUMAN SERVICE CENTER	
7	Total all funds - Base level	\$7,275,679
8	Less estimated income - Base level	<u>3,645,640</u>
9	Total general fund - Base level	\$3,630,039
10	NORTH CENTRAL HUMAN SERVICE CENTER	
11	Total all funds - Base level	\$14,564,870
12	Less estimated income - Base level	<u>6,723,674</u>
13	Total general fund - Base level	\$7,841,196
14	LAKE REGION HUMAN SERVICE CENTER	
15	Total all funds - Base level	\$8,420,933
16	Less estimated income - Base level	<u>3,782,973</u>
17	Total general fund - Base level	\$4,637,960
18	NORTHEAST HUMAN SERVICE CENTER	
19	Total all funds - Base level	\$19,441,183
20	Less estimated income - Base level	<u>11,444,820</u>
21	Total general fund - Base level	\$7,996,363
22	SOUTHEAST HUMAN SERVICE CENTER	
23	Total all funds - Base level	\$20,724,542
24	Less estimated income - Base level	<u>11,215,222</u>
25	Total general fund - Base level	\$9,509,320
26	SOUTH CENTRAL HUMAN SERVICE CENTER	
27	Total all funds - Base level	\$11,358,975
28	Less estimated income - Base level	<u>5,731,868</u>
29	Total general fund - Base level	\$5,627,107
30	WEST CENTRAL HUMAN SERVICE CENTER	

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1	Total all funds - Base level	\$17,584,844
2	Less estimated income - Base level	<u>9,121,635</u>
3	Total general fund - Base level	\$8,463,209
4	BADLANDS HUMAN SERVICE CENTER	
5	Total all funds - Base level	\$8,924,627
6	Less estimated income - Base level	<u>4,558,723</u>
7	Total general fund - Base level	\$4,365,904
8	STATE HOSPITAL	
9	Total all funds - Base level	\$41,889,561
10	Less estimated income - Base level	<u>16,405,360</u>
11	Total general fund - Base level	\$25,484,201
12	DEVELOPMENTAL CENTER	
13	Total all funds - Base level	\$40,761,057
14	Less estimated income - Base level	<u>31,949,828</u>
15	Total general fund - Base level	\$8,811,229
16	Total all funds - Subdivision 3	\$191,196,271
17	Total estimated income - Subdivision 3	\$104,579,743
18	Total general fund appropriation - Subdivision 3	\$86,616,528
19	Total general fund - Section 1	\$411,081,823
20	Total special funds - Section 1	\$1,097,801,932
21	Total all funds - Section 1	\$1,508,883,755

22           **SECTION 2. FUNDING ADJUSTMENTS OR ENHANCEMENTS INFORMATION.** The  
23 amounts identified in this section represent the funding adjustments or enhancements to the  
24 base funding level for the department of human services which are included in the  
25 appropriation in section 3 of this Act as follows:

26           Subdivision 1.

27	MANAGEMENT	
28	Salaries and wages	(\$486,633)
29	Operating expenses	(1,787,339)
30	Capital assets	62
31	Developmentally disabled facility loan fund	<u>(3,261,556)</u>



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1	Total all funds - Adjustments/enhancements	\$1,055,769
2	Less estimated income - Adjustments/enhancements	<u>745,840</u>
3	Total general fund - Adjustments/enhancements	\$309,929
4	SOUTHEAST HUMAN SERVICE CENTER	
5	Total all funds - Adjustments/enhancements	\$2,801,880
6	Less estimated income - Adjustments/enhancements	<u>2,430,373</u>
7	Total general fund - Adjustments/enhancements	\$371,507
8	SOUTH CENTRAL HUMAN SERVICE CENTER	
9	Total all funds - Adjustments/enhancements	\$780,171
10	Less estimated income - Adjustments/enhancements	<u>578,413</u>
11	Total general fund - Adjustments/enhancements	\$201,758
12	WEST CENTRAL HUMAN SERVICE CENTER	
13	Total all funds - Adjustments/enhancements	\$920,924
14	Less estimated income - Adjustments/enhancements	<u>537,278</u>
15	Total general fund - Adjustments/enhancements	\$383,646
16	BADLANDS HUMAN SERVICE CENTER	
17	Total all funds - Adjustments/enhancements	\$383,660
18	Less estimated income - Adjustments/enhancements	<u>250,774</u>
19	Total general fund - Adjustments/enhancements	\$132,886
20	STATE HOSPITAL	
21	Traditional services	\$230,001
22	Secure services	<u>5,430,860</u>
23	Total all funds - Adjustments/enhancements	\$5,660,861
24	Less estimated income - Adjustments/enhancements	<u>(728,482)</u>
25	Total general fund - Adjustments/enhancements	\$6,389,343
26	DEVELOPMENTAL CENTER	
27	Total all funds - Adjustments/enhancements	\$1,463,546
28	Less estimated income - Adjustments/enhancements	<u>(1,124,148)</u>
29	Total general fund - Adjustments/enhancements	\$2,587,694
30	Total all funds - Subdivision 3	\$14,254,086
31	Total estimated income - Subdivision 3	\$3,694,093



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1	Total all funds	\$7,318,971
2	Less estimated income	<u>3,684,763</u>
3	Total general fund appropriation	\$3,634,208
4	NORTH CENTRAL HUMAN SERVICE CENTER	
5	Total all funds	\$15,278,197
6	Less estimated income	<u>7,257,513</u>
7	Total general fund appropriation	\$8,020,684
8	LAKE REGION HUMAN SERVICE CENTER	
9	Total all funds	\$9,101,589
10	Less estimated income	<u>4,214,056</u>
11	Total general fund appropriation	\$4,887,533
12	NORTHEAST HUMAN SERVICE CENTER	
13	Total all funds	\$20,496,952
14	Less estimated income	<u>12,190,660</u>
15	Total general fund appropriation	\$8,306,292
16	SOUTHEAST HUMAN SERVICE CENTER	
17	Total all funds	\$23,526,422
18	Less estimated income	<u>13,645,595</u>
19	Total general fund appropriation	\$9,880,827
20	SOUTH CENTRAL HUMAN SERVICE CENTER	
21	Total all funds	\$12,139,146
22	Less estimated income	<u>6,310,281</u>
23	Total general fund appropriation	\$5,828,865
24	WEST CENTRAL HUMAN SERVICE CENTER	
25	Total all funds	\$18,505,768
26	Less estimated income	<u>9,658,913</u>
27	Total general fund appropriation	\$8,846,855
28	BADLANDS HUMAN SERVICE CENTER	
29	Total all funds	\$9,308,287
30	Less estimated income	<u>4,809,497</u>
31	Total general fund appropriation	\$4,498,790

1	STATE HOSPITAL	
2	Traditional services	\$42,119,562
3	Secure services	<u>5,430,860</u>
4	Total all funds	\$47,550,422
5	Less estimated income	<u>15,676,878</u>
6	Total general fund appropriation	\$31,873,544
7	DEVELOPMENTAL CENTER	
8	Total all funds	\$42,224,603
9	Less estimated income	<u>30,825,680</u>
10	Total general fund appropriation	\$11,398,923
11	Total all funds - Subdivision 3	\$205,450,357
12	Total estimated income - Subdivision 3	\$108,273,836
13	Total general fund appropriation - Subdivision 3	\$97,176,521
14	Grand total general fund appropriation - H.B. 1012	\$485,930,161
15	Grand total special funds appropriation - H.B. 1012	\$1,163,586,663
16	Grand total all funds appropriation - H.B. 1012	\$1,649,516,824

17       **SECTION 4. FULL-TIME EQUIVALENT EMPLOYEES - MEDICAID - EMERGENCY**  
18 **COMMISSION AND BUDGET SECTION APPROVAL.** Subject to emergency commission and  
19 budget section approval, the department of human services may hire additional full-time  
20 equivalent positions for medicaid program review of eligibility and payments in addition to those  
21 authorized by the legislative assembly when it is cost-effective to hire additional positions in lieu  
22 of contracts or if no acceptable contract proposal is received within the funding constraints.

23       **SECTION 5. MEDICAID ELIGIBILITY REVIEWS - CONTINGENT FUNDING.** The  
24 appropriation in subdivision 2 of section 3 of this Act includes \$615,000 from the general fund  
25 and \$615,000 of federal funds for payment error rate measurement eligibility reviews for the  
26 medical assistance program. If the department of human services is not required by the federal  
27 government to conduct these reviews, the department may not spend these funds for the  
28 biennium beginning July 1, 2005, and ending June 30, 2007.

29       **SECTION 6. FUNDING TRANSFERS - EXCEPTION - AUTHORIZATION.**  
30 Notwithstanding section 54-16-04, the department of human services may transfer  
31 appropriation authority between line items within each subdivision of section 3 of this Act and



1 between subdivisions within section 3 of this Act for the biennium beginning July 1, 2005, and  
2 ending June 30, 2007. The department shall notify the office of management and budget of  
3 any transfer made pursuant to this section. The department shall report to the budget section  
4 after June 30, 2006, any transfers made in excess of \$50,000 and to the appropriations  
5 committees of the sixtieth legislative assembly regarding any transfers made pursuant to this  
6 section.

7 **SECTION 7. ESTIMATED INCOME - LIMIT - COMMUNITY HEALTH TRUST FUND.**

8 The estimated income line item in subdivision 2 of section 3 of this Act includes \$114,755 from  
9 the community health trust fund. The department of human services expenditures from this  
10 fund may not exceed this amount for the biennium beginning July 1, 2005, and ending June 30,  
11 2007.

12 **SECTION 8. COMPULSIVE GAMBLING PREVENTION AND TREATMENT FUND -**  
13 **TRANSFER TO THE GENERAL FUND.** On July 1, 2005, the director of the office of

14 management and budget and the state treasurer shall transfer \$100,000 from the compulsive  
15 gambling prevention and treatment fund to the general fund.

16 **SECTION 9. LEGISLATIVE COUNCIL STUDY - LONG-TERM CARE.** During the  
17 2005-06 interim, the legislative council shall consider studying, with input from representatives  
18 of the department of human services and the long-term care industry, methods of improving the  
19 sustainability of funding long-term care services in the state, including a review of case mix and  
20 rate equalization, consideration of additional support for facilities providing additional restorative  
21 care services, and consideration of options for reducing the number of required reports of  
22 facilities providing high-quality care or for seeking waivers to change the survey process.