

**FIRST ENGROSSMENT
with Senate Amendments**

Fifty-ninth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1148

Introduced by

Human Services Committee

(At the request of the Department of Human Services)

1 A BILL for an Act to create and enact two new sections to Senate Bill No. 2185, as approved by
2 the fifty-ninth legislative assembly, relating to the effective date of the medical assistance buy-in
3 program for individuals with disabilities; to amend and reenact section 50-24.1-18.1 of the North
4 Dakota Century Code, relating to personal care services for eligible medical assistance
5 recipients who are residing in their own homes; to provide an effective date; and to declare an
6 emergency.

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

8 **SECTION 1. AMENDMENT.** Section 50-24.1-18.1 of the North Dakota Century Code
9 is amended and reenacted as follows:

10 **50-24.1-18.1. (~~Effective through June 30, 2005~~) Personal care services - Residing**
11 **at home.** Subject to the requirements under title 42, Code of Federal Regulations, part 440,
12 section 167, the department of human services shall provide personal care services for eligible
13 medical assistance recipients who are residing in their own homes. The department shall seek
14 a waiver of federal law to permit disabled and elderly individuals to direct their own care and to
15 permit personal care services authorized under this section to be provided by nonlicensed
16 personal care service providers.

17 **SECTION 2.** Two new sections to Senate Bill No. 2185, as approved by the fifty-ninth
18 legislative assembly, are created and enacted as follows:

19 **SECTION 2. EFFECTIVE DATE.** This Act becomes effective on July 1, 2005.

20 **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.

21 **SECTION 3. EFFECTIVE DATE.** This Act becomes effective on July 1, 2005.

22 **SECTION 4. EMERGENCY.** This Act is declared to be an emergency measure.