

**Sixty-first Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 6, 2009**

HOUSE BILL NO. 1556  
(Representatives Wieland, Kerzman, Pollert)  
(Senators Fischer, Flakoll, Robinson)

AN ACT to provide for a study by the department of human services of rates for public and private licensed developmental disability providers; and to provide an appropriation.

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

**SECTION 1. STUDY - RATE STRUCTURE OF DEVELOPMENTAL DISABILITY PROVIDERS.** During the 2009-10 interim, the department of human services shall contract with an independent contractor to study the methodology and calculations for the ratesetting structure used by the department to reimburse public and private, licensed developmental disability ICF/MR and home and community-based services providers serving ICF/MR medically fragile and behaviorally challenged individuals who meet the definitions established by the Oregon scoring criteria used by the department to assess levels of medical and behavioral severity in children and other recognized scoring criteria used to score adult severity. The study must address reimbursement adequacy and equitability and fairness of reimbursement rates among such providers, the level of medical and supportive services required by providers to adequately serve individuals in those categories, the varying levels of medical and behavioral complexity of individuals requiring services by the providers, and any other analytical comparisons bearing upon issues of reimbursement adequacy, fairness, and equitability to such providers. In obtaining data and arriving at outcomes and recommendations, the study must include consultations with those providers furnishing services to such individuals. Before September 1, 2010, the department shall report the outcomes and recommendations of this study to the legislative council.

**SECTION 2. APPROPRIATION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$100,000, or so much of the sum as may be necessary, and from special funds derived from federal funds, the sum of \$100,000, or so much of the sum as may be necessary, to the department of human services for the purpose of conducting the study required in section 1 of this Act, for the biennium beginning July 1, 2009, and ending June 30, 2011.

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Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Chief Clerk of the House

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Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-first Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1556.

House Vote:      Yeas    93      Nays    0      Absent    1

Senate Vote:    Yeas    46      Nays    0      Absent    1

\_\_\_\_\_  
Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2009.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2009.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2009,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State