

**Sixty-third Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 8, 2013**

SENATE BILL NO. 2108  
(Human Services Committee)  
(At the request of the Department of Human Services)

AN ACT to amend and reenact sections 50-06-05.3, 50-06-05.4, and 50-06-05.5 of the North Dakota Century Code, relating to services provided at the regional human service centers and to human service councils.

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

**SECTION 1. AMENDMENT.** Section 50-06-05.3 of the North Dakota Century Code is amended and reenacted as follows:

**50-06-05.3. Regional human service centers - Powers - Duties - Human service council advisory groups.**

1. Regional human service centers organized under this chapter are those centers established to provide human services as authorized by law. The term "human service" means service provided to individuals or their families in need thereof to help them achieve, maintain, or support the highest level of personal independence and economic self-sufficiency, including health, mental health, education, manpower, social, vocational rehabilitation, aging, food and nutrition, and housing service. Regional human service centers shall function as regional administrative units established, within the multicounty areas designated by the governor's executive order 1978-12 dated October 5, 1978, to provide for the planning and delivery of human services.
2. Regional human service centers shall provide human services to all eligible individuals and families to help them achieve or maintain social, emotional, and economic self-sufficiency; prevent, reduce, or eliminate dependency; prevent or remedy the neglect, abuse, or exploitation of children and of adults unable to protect their own interests; aid in the preservation, rehabilitation, and reuniting of families; prevent or reduce inappropriate institutional care by providing for care while institutionalized or providing for community-based or other forms of less restrictive care; secure referral or admission for institutional care; provide outpatient diagnostic and treatment services; provide information concerning guardianship to people interested in becoming or who are guardians; and provide rehabilitation services for patients with mental or emotional disorders, an intellectual disability, and other psychiatric conditions, particularly for those patients who have received prior treatment in an inpatient facility. Regional human service centers shall deliver services in the manner prescribed by the department.
3. ~~The director shall appoint a human service council of advisory group for each human service center shall be a council of not more than consisting of up to thirteen members. The council~~Each group member must be appointed by the boards of county commissioners of the respective counties within a resident of the region meeting jointly with the director of the regional human service center, except for the appointment of the initial human service council which must be as provided in section 41 of chapter 486 of the 1981 Session Laws the member is appointed to serve. CountyThe director shall appoint two current county commissioners may and one current county social service board member to serve as members of the a human service council provided, that the commission members do not comprise more than one-third of the total council members advisory group. The director may appoint an additional current commissioner to serve in lieu of the current county social service board member. The terms of office must be two years and arranged so that the term of ~~six~~one-half of the members shall expire ~~expires~~ at the end of the first year and the term of ~~seven~~the remaining members shall

~~expire~~ expires at the end of the second year. ~~Members~~ The director shall select the members of each human service council ~~are to be selected~~ advisory group on the basis of population from residents of the counties in the region served by the human service center. Each county in the region must ~~have~~ be represented by at least one member on the human service council ~~advisory group~~. To the extent possible, membership ~~of the council~~ advisory group must reflect regional interests in the fields of developmental disabilities, social services, vocational rehabilitation, mental health, and alcoholism and drug abuse. ~~Members~~ The director shall ~~elect~~ appoint a chairman for each ~~council~~ advisory group from the ~~council~~ membership ~~a chairman and other officers as the council deems necessary~~. All members of each council must be residents of the area served by the regional human service center ~~of the advisory group~~. ~~Vacancies~~ The director shall fill a vacancy occurring ~~on the board~~ within an advisory group for other than the expiration of a term ~~must be filled in the same manner as original appointments, except that appointments must be made only for the unexpired term~~. ~~Members~~ The department shall ~~compensate members of the~~ compensate ~~advisory group~~ advisory group at the rate of forty-five dollars per day, not to exceed twenty-five days in any one year. The department also shall ~~pay~~ pay members ~~must also be paid~~ for mileage and actual expenses incurred in attending meetings and in the performance of their official duties in the amounts provided by law for other state officers.

**SECTION 2. AMENDMENT.** Section 50-06-05.4 of the North Dakota Century Code is amended and reenacted as follows:

**50-06-05.4. Duties of human service council advisory groups.**

~~The~~ Each human service council ~~advisory group~~ advisory group of the regional human service centers shall perform the following duties:

1. ~~Assist in~~ Provide information to the department relative to needs assessment and the planning and development of health and social resources ~~to assure~~ for the effective and efficient delivery of high-quality human services fully accessible to all citizens.
2. Review and evaluate services and programs provided by the regional human service centers and make periodic reports ~~to the department together with any recommendations the council's advisory group may have for improvement in services, programs, or facilities~~.
3. Promote cooperation and working agreements with private human service agencies.
4. ~~Review the budgets for submission to the executive director for consideration and submission within the budget request for the department~~.
5. Promote local and regional financing from public and private sources.

**SECTION 3. AMENDMENT.** Section 50-06-05.5 of the North Dakota Century Code is amended and reenacted as follows:

**50-06-05.5. Director of regional center - Medical director.**

Each regional human service center must be headed by a regional director appointed by the executive director of the department ~~in consultation with the regional human service council~~. The regional director must be accountable to the executive director ~~or the director's designee~~. Each regional director shall ~~have the authority to~~ may employ the staff necessary to discharge the center's responsibilities. ~~The~~ A regional director shall also have authority, subject to the approval of the executive director of the department ~~or the director's designee~~, and within the limit of legislative appropriations, ~~to~~ may make contractual arrangements with public or private agencies or with individuals and organizations to discharge the regional human service center's service delivery responsibilities. ~~The staff of each~~ Each regional human service center ~~director~~ shall ~~include~~ hire a qualified medical professional who must be designated as the medical director of the center. The medical director ~~must be primarily~~ is responsible for coordinating mental health and medically related services. The medical

director's position may be part time or full time as determined appropriate by the regional director, with the concurrence of the executive director or the director's designee. ~~At the discretion of the~~The executive director, or the director's designee may appoint the regional director of a center, ~~if qualified therefor, could also be appointed to be the medical director of that center, provided the regional director is qualified to be the medical director.~~ As used in this section, "qualified medical professional" means an individual possessing a degree of doctor of psychiatry, when such an individual can be employed, and when this is not possible, an individual possessing at least a medical degree.

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President of the Senate

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Speaker of the House

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Secretary of the Senate

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Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-third Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2108.

Senate Vote:    Yeas 43            Nays 4            Absent 0

House Vote:    Yeas 90            Nays 1            Absent 3

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Secretary of the Senate

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2013.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2013.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2013,

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

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