

Introduced by

Senators Hogan, J. Lee, Luick

Representatives Rohr, Schneider, Westlind

1 A BILL for an Act to amend and reenact section 50-06-37 of the North Dakota Century Code,  
2 relating to the developmental disabilities system reimbursement project; to provide a statement  
3 of legislative intent; to provide for a legislative management study; and to provide for a  
4 legislative management report.

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

6 **SECTION 1. AMENDMENT.** Section 50-06-37 of the North Dakota Century Code is  
7 amended and reenacted as follows:

8 **50-06-37. Developmental disabilities system reimbursement project.**

9 The department of human services, in conjunction with developmental disabilities service  
10 providers, shall develop a prospective or related payment system with an independent rate  
11 model utilizing the support intensity scale.

12 1. The department shall establish a steering committee consisting of representatives  
13 from all interested providers and department representatives. The steering committee  
14 shall guide the development of the new payment system including assisting a  
15 consultant to conceptualize, develop, design, implement, and evaluate a new payment  
16 system.

17 2. The department ~~shall~~may contract with a consultant ~~by September 1, 2011,~~ to  
18 ~~develop~~continuously improve, in collaboration with the steering committee, the  
19 payment system and the resource allocation model tying funding to support intensity  
20 scale assessed needs of clients ~~aged sixteen and older and to a state-approved-~~  
21 ~~assessment that assesses needs of.~~ For clients younger than sixteen years of age, the  
22 department may tie funding to a state-approved assessment.

23 3. After the prospective or related payment system rates are developed, the new rates  
24 must be tested on a sampling of clients and providers, the sample to be determined by

1 the steering committee, allowing sufficient time to capture provider cost, client-realized  
2 need, and service provision data. The ~~consultant~~steering committee shall provide the  
3 appropriate sampling number to sufficiently test the rates, types of services, and  
4 needs of clients with the intent to include as many providers as fiscally feasible.

5 4. The department shall contract with a team of support intensity scale assessors by  
6 ~~September 1, 2011. The team shall begin assessing immediately the identified client-~~  
7 ~~pilot group identified by the consultant contracted in subsection 2.~~

8 5. ~~Once testing is complete, the data~~Data must be analyzed by the ~~consultant~~steering  
9 committee, and the ~~consultant~~steering committee shall make any needed rate  
10 adjustments, resource allocation modifications, or process assumptions.

11 6. ~~Beginning in June 2012, the~~The department and the steering committee shall report  
12 development activities and status information to an interim legislative committee.

13 7. ~~Implementation of any system developed under this chapter may not occur before the~~  
14 ~~implementation of the department's new Medicaid management information system.~~

15 **SECTION 2. LEGISLATIVE INTENT - ONGOING IMPROVEMENTS.** It is the intent of the  
16 sixty-sixth Legislative Assembly that, within the limits of legislative appropriations, the  
17 department of human services continue to work with the North Dakota association of community  
18 providers to revise administrative and regulatory requirements regarding developmental  
19 disability service providers to minimize disruption and maximize effectiveness of direct services  
20 to clients.

21 **SECTION 3. LEGISLATIVE INTENT - COMMUNITY PROVIDER CAPACITY - REPORT**  
22 **TO LEGISLATIVE MANAGEMENT.** It is the intent of the sixty-sixth legislative assembly that,  
23 within the limits of legislative appropriations, the department of human services continue to work  
24 with the North Dakota Association of community providers to create continuously improving  
25 community provider capacity to serve clients with elevated medical, behavioral, and other needs  
26 in the least restrictive appropriate setting. Biannually, the department shall provide the  
27 legislative management a status report on the ongoing work of the department to improve  
28 community provider capacity, together with any barriers encountered.

29 **SECTION 4. LEGISLATIVE MANAGEMENT STUDY - INTELLECTUAL DISABILITY**  
30 **SYSTEM.** During the 2019-20 interim, the legislative management shall consider studying the  
31 system of services for individuals with an intellectual disability, including review of the current

Sixty-sixth  
Legislative Assembly

- 1 service system, funding, and unmet needs. The legislative management shall report its findings
- 2 and recommendations, together with any legislation necessary to implement the
- 3 recommendations, to the sixty-seventh legislative assembly.