



HUMAN SERVICES COMMITTEE

Thursday, October 21, 2021
Roughrider Room, State Capitol
Bismarck, North Dakota

Senator Judy Lee, Chairman, called the meeting to order at 9:00 a.m.

Members present: Senators Judy Lee, Howard C. Anderson, Jr., JoNell A. Bakke*, Jason G. Heitkamp, Kathy Hogan, David Hogue; Representatives Gretchen Dobervich, Clayton Fegley, Dwight Kiefert, Alisa Mitskog, Karen M. Rohr, Matthew Ruby, Mark Sanford, Mary Schneider, Randy A. Schobinger, Kathy Skroch, Michelle Strinden

Member absent: Representative Greg Westlind

Others present: See [Appendix A](#)

**Attended remotely*

It was moved by Senator Anderson, seconded by Representative Mitskog, and carried on a voice vote that the minutes of the August 3, 2021, meeting be approved as distributed.

STUDY OF DEVELOPMENTAL DISABILITIES SERVICES AND AUTISM SPECTRUM DISORDER PROGRAMS

At the request of Chairman Lee, Mr. Brady A. Larson, Assistant Legislative Budget Analyst and Auditor, reviewed a memorandum entitled [Information Regarding the Request for Proposal and Proposal Responses - Study of Developmental Disabilities Services and Autism Spectrum Disorder Programs](#). He noted that a request for proposal for consultant services for the committee's study of developmental disabilities services and autism spectrum disorder programs was issued on August 13, 2021, and responses were due by September 24, 2021. One proposal was received in response to the request for proposal.

Chairman Lee called on Ms. Wanda Seiler, Managing Director, and Ms. Erin Leveton, Director, Health and Human Services, Alvarez & Marsal Holdings, LLC, to provide an overview of their proposal ([Appendix B](#)). They reviewed the following proposed project plan:

- Gather information from key individuals within the Department of Human Services (DHS), including staff responsible for the administration of developmental disabilities programs and staff responsible for key functions in the programs.
- Gather information from other key stakeholders, including legislators, representatives of organizations that advocate for developmental disabilities services, members of the Autism Spectrum Disorder Task Force, members of other task forces and councils that relate to developmental disabilities, and self-advocates and families of individuals receiving developmental disability or autism spectrum disorder services.
- Gather and analyze data from DHS regarding waiver applications, budget information, needs assessments, program and service access, assessment tools, eligibility determinations, and program utilization.
- Research other states to compare program services in peer states and to review planning and implementation approaches in other states.

In response to questions from the committee, Mr. Christopher D. Jones, Executive Director, Department of Human Services, noted the department will work with any consultant selected to provide the appropriate data needed for the study.

Ms. Mandy Dendy, Legal Assistant, Protection and Advocacy Project, provided comments to the committee ([Appendix C](#)) regarding the proposal from Alvarez & Marsal Holdings, LLC.

Ms. Kirsten Dvorak, Executive Director, The Arc of North Dakota, provided comments to the committee encouraging the study to review services provided for autism spectrum disorder to ensure there are no gaps in services.

It was moved by Representative Ruby, seconded by Representative Schneider, and carried on a roll call vote that the committee recommend the chairman of the Legislative Management contract with Alvarez & Marsal Holdings, LLC to provide consulting services for the committee's study of developmental disabilities services and autism spectrum disorder programs. Senators Lee, Anderson, Bakke, Heitkamp, and Hogue and Representatives Dobervich, Fegley, Mitskog, Rohr, Ruby, Sanford, Schneider, Schobinger, Skroch, and Strinden voted "aye." No negative votes were cast.

STUDY OF EMPLOYMENT RESTRICTIONS IN PUBLIC ASSISTANCE PROGRAMS

Ms. Michele Gee, Director, Economic Assistance Division, Department of Human Services, presented information ([Appendix D](#)) regarding limits in public assistance programs. She reviewed the following income limits in selected public assistance programs:

Program	Maximum Federal Income Threshold	State Income Threshold
Childcare assistance program	85 percent of state median income	60 percent of state median income
Low income home energy assistance program	60 percent of state median income level or 150 percent of federal poverty level, whichever is higher	60 percent of state median income
Supplemental nutrition assistance program	130 percent of federal poverty level for gross income; 100 percent of federal poverty level for net income	130 percent of federal poverty level for gross income; 100 percent of federal poverty level for net income

In response to committee questions, Ms. Gee noted the income limit level for the childcare assistance program was reduced from 85 to 60 percent of state median income as a result of budget reductions in 2016.

Mr. Phil Davis, Workforce Services Director, Job Service North Dakota, presented information ([Appendix E](#)) regarding workforce issues in the state. He noted as of September 2021:

- The state unemployment rate was 3.2 percent compared to a national unemployment rate of 4.8 percent.
- There are 17,564 open jobs, of which 52 percent require a high school diploma or less.
- The industries with the most job openings include health care, office and administration, and transportation.

OTHER COMMITTEE RESPONSIBILITIES

Best in Class Program

Ms. Kay Larson, Director, Early Childhood Division, Department of Human Services, presented information ([Appendix F](#)) regarding the best in class program. She noted:

- The program was authorized by the 2021 Legislative Assembly.
- The program provides quality early childhood experiences for children in the year before kindergarten.
- A total of 23 programs received funding to serve approximately 374 children.

Refugee Resettlement Services

Ms. Holly Triska-Dally, State Refugee Coordinator, Department of Human Services, presented information ([Appendix G](#)) regarding refugee resettlement in the state. She noted:

- DHS offers refugee support services such as employment and skills training, language learning, and youth mentorship.
- The goal of providing services is to allow for self-sufficiency and integration.
- The number of refugees resettled in state the past 25 years has varied from 35 to 623 per year.
- An estimated 250 refugees will be resettled in the state in federal fiscal year 2022.

Children's Health Insurance Program

Ms. Jodi Hulm, Director, Managed Care and Children's Services, Department of Human Services, presented information ([Appendix H](#)) regarding the children's health insurance program. She noted:

- From July 1, 2019, through June 30, 2021, a total of \$19.5 million, of which \$4.8 million is from the general fund, was spent on the children's health insurance program through a fee for service arrangement.
- Since January 1, 2020, the average monthly enrollment in the program is 2,405 children.

Early and Periodic Screening, Diagnostic, and Treatment Program

Ms. Hulm presented information ([Appendix I](#)) regarding the Early and Periodic Screening, Diagnostic, and Treatment program. She noted:

- DHS has contracted with a consultant to study the program. The result of the study will be presented to the committee.
- Some children are referred for services under the program but do not receive treatment. The child's parents or legal guardians make the final decision whether to receive treatment. Examples of why a child may not receive treatment is a lack of available providers and a lack of understanding why treatment is needed.

In response to committee questions, Ms. Hulm provided a copy of the request for proposal ([Appendix J](#)) issued by DHS for the study of the Early and Periodic Screening, Diagnostic, and Treatment program.

Ms. Dendy submitted comments ([Appendix K](#)) regarding the Early and Periodic Screening, Diagnostic, and Treatment program.

STUDY OF DEPARTMENT OF HUMAN SERVICES AND HUMAN SERVICE ZONE EMPLOYEE COMPENSATION

Mr. Lynn Hart, Classification and Compensation Manager, Human Resource Management Services, Office of Management and Budget, presented information ([Appendix L](#)) on the state classification and compensation system. He noted:

- The state classification system is defined by job title, classification description, and grade level.
- Salary ranges are established for each grade level.
- There are 97 classifications in 16 job families distributed among 10 pay grade levels.

Ms. Sara Stolt, Chief Operating Officer, Department of Human Services, presented information ([Appendix M](#)) regarding department and human service zone compensation. She noted employee positions at DHS and human service zones were reviewed and placed into 7 grades under 10 job codes. An average salary and compensation ratio was developed within each human service zone and the department. Compensation ratios at human service zones ranged from 74 to 128 percent compared to the overall salary levels.

Ms. Kim Jacobson, Director, Agassiz Valley Human Service Zone, provided comments to the committee regarding comparisons in compensation levels among human service zones and challenges to retain employees.

Mr. Robert Wilson, County Administrator, Cass County, provided comments ([Appendix N](#)) to the committee regarding human service zone employee compensation.

BEHAVIORAL HEALTH BED MANAGEMENT SYSTEM

Chairman Lee announced the Legislative Management Chairman has directed the Human Services Committee to review the behavioral health bed management system that was authorized by the Legislative Assembly in 2021 and to report any recommendations for statutory changes for the program to the Legislative Management in November 2021.

At the request of Chairman Lee, Mr. Larson distributed a bill draft [[21.1127.01000](#)] to provide a statutory change to exclude the Department of Corrections and Rehabilitation (DOCR) from participating in the behavioral health bed management system.

Ms. Pamela Sagness, Director, Behavioral Health Division, Department of Human Services, provided comments regarding the behavioral health bed management system. She indicated many behavioral health programs managed by the DOCR are licensed and it would not be appropriate to include the beds as being available for use by individuals that are not under the custody of DOCR.

Ms. Stacey Christian, Administrative Assistant, Burleigh County Human Service Zone, provided comments to the committee regarding the the inclusion of youth beds in the behavioral health bed management system.

It was moved by Representative Strinden, seconded by Representative Dobervich, and carried on a roll call vote that the committee approve the bill draft and recommend the bill draft [21.1127.01000] to the Legislative Management. Senators Lee, Anderson, Bakke, and Hogan and Representatives Dobervich, Fegley, Kiefert, Mitskog, Rohr, Ruby, Sanford, Schneider, Skroch, and Strinden voted "aye." No negative votes were cast.

It was moved by Representative Skroch, seconded by Senator Hogan, and carried on voice vote that the Chairman and Legislative Council staff be requested to prepare a report regarding the behavioral health bed management system recommendations and that the Chairman present the report and recommended bill draft to the Legislative Management.

No further business appearing, Chairman Lee adjourned the meeting at 3:30 p.m.

Brady A. Larson
Assistant Legislative Budget Analyst and Auditor

ATTACH:14