

SENATE BILL NO. 2256

Introduced by

Senators Dever, Hogan, Lee, Mathern

Representatives Meier, J. Nelson

1 A BILL for an Act to provide for a legislative management study of the state's ~~home and~~
2 ~~community-based services waiver for individuals with intellectual disabilities and~~ developmental
3 ~~disabilities~~ services; and to provide an appropriation.

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

5 **SECTION 1. ~~HOME AND COMMUNITY-BASED SERVICES WAIVERS~~ - LEGISLATIVE**
6 **MANAGEMENT STUDY - DEVELOPMENTAL DISABILITIES SERVICES.** During the 2021-22
7 interim, the legislative management shall ~~identify changes that need to be made in North~~
8 ~~Dakota Administrative Code provisions addressing the department of human service's section~~
9 ~~1915(c) home and community-based services waiver for individuals with intellectual disabilities~~
10 ~~and developmental disabilities, including any internal department policies or protocols relating to~~
11 ~~eligibility or screening, to better satisfy the intent of chapter 25-01.2 and 42 U.S.C 15002(8) so~~
12 ~~all individuals with developmental disabilities receive appropriate treatment, services, and~~
13 ~~habilitation in the least restrictive appropriate setting as provided under section 25-01.2-~~
14 ~~02:study state and federal laws and regulations relating to the care and treatment of individuals~~
15 with developmental disabilities.

16 1. The study must include a review of the following:

17 a. The state's existing programs to identify potential pathways for individuals who
18 have a developmental disability but do not meet the eligibility criteria for existing
19 programs;

20 b. Gap identification with programmatic recommendations identifying potential
21 strategies to address the gaps, and potential federal and state funding sources;

22 c. Efforts and services offered by other states, including the planning and
23 implementation process for any new programs; and

1 d. The impact of implementation and expanding of programs to address service
2 gaps, including the number of individuals impacted, cost, and timeline for
3 implementation.

4 2. The legislative management shall report its findings and recommendations, together
5 with any legislation necessary to implement those recommendations, to the
6 sixty-eighth legislative assembly.

7 **SECTION 2. APPROPRIATION.** There is appropriated out of any moneys in the general
8 fund in the state treasury, not otherwise appropriated, the sum of \$150,000, or so much of the
9 sum as may be necessary, to the department of human services for the purpose of selecting a
10 consultant to assist legislative management in the study related to the state's developmental
11 services, for the biennium beginning July 1, 2021, and ending June 30, 2023.