

**Department of Human Services**  
**House Bill 1517 - House Human Services Committee**  
**Representative Robin Weisz, Chairman**

January 22, 2019

Chairman Weisz and members of the House Human Services Committee, I am Tom Eide, Director of Field Services and Chief Financial Officer for the Department of Human Services. I am here to testify regarding House Bill 1517.

I would like to provide some information regarding several sections of this bill and provide some items to consider.

First, in Sections 1 and 2 of this bill it indicates that Life Skills and Transition Center (LSTC) must be licensed. Currently, LSTC is accredited by the Council of Quality and Leadership (CQL) as are all other Intermediate Care Facilities in our state. In fact, it continues to achieve accreditation and receives high quality reports as indicated by receiving Person Centered Excellence Accreditation in December, 2015. The LSTC continues to demonstrate progress on their 4-year accreditation plan as evidenced by off-site visits in June 2017 and December 2018. LSTC also undergoes CMS (Centers for Medicare and Medicaid Services) certification on an annual basis for each residential building. While LSTC will continue to pursue and receive this accreditation, licensing would not be appropriate given the requirement for LSTC status in North Dakota's Constitution.

North Dakota Constitution, Article IX, Section 12 requires LSTC to be located at or near the city of Grafton and provide services, as a facility, for individuals with developmental disabilities. If this Legislative Assembly requires LSTC to be licensed, it is the Department's position that this proposed law could create a conflict with North Dakota's Constitution if LSTC's license is later revoked for some unforeseen reason. Under this Bill, LSTC would not be able to operate without a license.

In Section 3 of this bill, it requires the Department to establish and implement a standardized assessment tool. While the use of various assessments is consistent with current practices for specific purposes within various Department programs and services, requiring the Department specifically in this bill to establish and implement a standardized assessment tool for all individuals with an intellectual disabilities that receives any service from the Department may be unnecessary and burdensome as some individuals will not be applying for or receiving services from the Department's Developmental Disabilities Division. For example, language in Section 3 places this requirement on the North Dakota State Hospital (NDSH). NDSH is a psychiatric facility and requiring the use of a standardized assessment tool would be inconsistent for a facility of that type. Technically, the way the bill is written it could be interpreted that anyone receiving SNAP, TANF or other benefits would be subject to this requirement. If the intent of this bill is to require the Department to conduct assessments on all individuals with intellectual disabilities that it serves in various capacities, an appropriation will be needed. Please know that a standardized assessment tool provided by the Department's Developmental Disabilities Division is used in the discharge planning of clients when appropriate.

In Section 4 of this bill, I want to highlight what is in the executive budget as presented to appropriations. We have requested the resources, including 7.5 full-time equivalent positions (FTE) to enhance our CARES (Clinical Assistance, Resources and Evaluation Service) team in each region. In addition, we have requested resources to build a 24-hour mobile crisis team in each region to support behavioral health needs. Our intention is that these teams would work in concert to meet crisis needs throughout our state.

This concludes my testimony, and I am happy to answer any questions.