

HOUSE BILL NO. 1105

Introduced by

Human Services Committee

(At the request of the Department of Human Services)

1 A BILL for an Act to amend and reenact sections 50-06-06.13 and 50-06-42 of the North Dakota
2 Century Code, relating to treatment services for children with serious emotional disorders and
3 the substance use disorder treatment voucher system.

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

5 **SECTION 1. AMENDMENT.** Section 50-06-06.13 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **50-06-06.13. Treatment services for children with serious emotional disorders.**

8 1. The department shall establish ~~in all human service regions~~ a program to provide
9 out-of-home treatment services for a Medicaid-eligible child with a serious emotional
10 disorder. The department may not require a parent or legal guardian to transfer legal
11 custody of the child in order to have the child placed in an out-of-home treatment
12 program ~~when~~if the sole reason for the placement is the need to obtain services for
13 the child's emotional or behavioral problems. With departmental approval, a parent
14 with legal and physical custody of the child may obtain treatment services for the child
15 through the program. A parent without physical custody of a child, who disagrees with
16 a child's treatment under this section, may request a judicial determination regarding
17 the child's treatment.

18 2. The department may establish a program to prevent out-of-home placement for a
19 Medicaid-eligible child with a behavior health condition as defined in the "Diagnostic
20 and Statistical Manual of Mental Disorders", American psychiatric association, fifth
21 edition, text revision (2013).

22 **SECTION 2. AMENDMENT.** Section 50-06-42 of the North Dakota Century Code is
23 amended and reenacted as follows:

1 **50-06-42. Substance use disorder treatment voucher system.**

2 The department shall establish and administer, within the limits of legislative appropriations,
3 a voucher system to address underserved areas and gaps in the state's substance abuse
4 treatment system and to assist in the payment of addiction treatment services provided by
5 ~~private~~ licensed substance abuse treatment programs, excluding regional human service
6 centers, and hospital- or medical clinic-based programs for medical management of withdrawal.
7 Services eligible for the voucher program include only those levels of care recognized by the
8 American society of addiction medicine, with particular emphasis given to underserved areas
9 and programs. The department shall ensure that a ~~private~~ licensed substance abuse treatment
10 program, ~~hospital~~hospital, and medical clinic ~~programs~~program accepting vouchers collects
11 and reports process and outcome measures. The department shall develop requirements and
12 provide training and technical assistance to a ~~private~~ licensed substance abuse treatment
13 program, ~~hospital~~hospital, and medical clinic ~~programs~~program accepting vouchers. A ~~private~~-
14 licensed substance abuse treatment program, hospital, and medical clinic program accepting
15 vouchers shall provide evidence-based services.