

HOUSE BILL NO. 1180

Introduced by

Representatives Schmidt, Damschen, Kreidt, Rohr, Boe

Senators Schaible, Heckaman

1 A BILL for an Act to create and enact two new sections to chapter 50-06.2 and a new section to
2 chapter 50-24.7 of the North Dakota Century Code, relating to ~~the qualifications, authority, and~~
3 ~~duties of a pilot program for~~ independent home and community-based services case managers;
4 ~~and to provide an expiration date.~~

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

6 **SECTION 1.** A new section to chapter 50-06.2 of the North Dakota Century Code is created
7 and enacted as follows:

8 **Service payments for elderly and disabled - Independent home and**
9 **community-based services case manager - Pilot program.**

10 ~~Under~~The department shall establish a pilot program for the provision of independent case
11 management services under the service payments for elderly and disabled program, ~~an~~ within a
12 county located entirely within an Indian reservation for the biennium beginning July 1, 2013, and
13 ending June 30, 2015. An independent home and community-based services case manager:

- 14 1. Is a ~~licensed~~ social worker licensed under section 43-41-04 who:
- 15 a. (1) Meets the requirements of section 43-41-05 for the private practice of social
16 work; or
- 17 (2) Works for an agency other than a county social service agency; and
- 18 b. Is enrolled as a qualified service provider to provide case management services
19 under rules adopted by the state agency.
- 20 2. May:
- 21 a. Determine eligibility for benefits under this chapter and periodically redetermine
22 eligibility of individuals receiving benefits pursuant to this chapter under the
23 direction and supervision of the state agency;
- 24 b. Provide case management services to recipients; and

- 1 c. Conduct initial and subsequent periodic functional assessments of applicants and
2 recipients.

3 **SECTION 2.** A new section to chapter 50-06.2 of the North Dakota Century Code is created
4 and enacted as follows:

5 **Medical assistance home and community-based services - Independent home and**
6 **community-based services case manager - Pilot program.**

7 ~~Under~~The department shall establish a pilot program for the provision of independent case
8 management services under the medical assistance home and community-based services
9 program, ~~an~~ within a county located entirely within an Indian reservation for the biennium
10 beginning July 1, 2013, and ending June 30, 2015. An independent home and
11 community-based services case manager:

- 12 1. Is a ~~licensed~~ social worker licensed under section 43-41-04 who:
- 13 a. (1) Meets the requirements of section 43-41-05 for the private practice of social
14 work; or
- 15 (2) Works for an agency other than a county social service agency; and
- 16 b. Is enrolled as a qualified service provider to provide case management services
17 under rules adopted by the state agency.
- 18 2. May:
- 19 a. Determine eligibility for benefits under this chapter and periodically redetermine
20 eligibility of persons receiving benefits pursuant to this chapter under the
21 direction and supervision of the state agency;
- 22 b. Provide case management services to recipients; and
- 23 c. Conduct initial and subsequent periodic functional assessments of applicants and
24 recipients.

25 **SECTION 3.** A new section to chapter 50-24.7 of the North Dakota Century Code is created
26 and enacted as follows:

27 **Expanded service payments for elderly and disabled - Independent home and**
28 **community-based services case manager - Pilot program.**

29 ~~Under~~The department shall establish a pilot program for the provision of independent case
30 management services under the expanded service payments for elderly and disabled program, ~~an~~
31 an within a county located entirely within an Indian reservation for the biennium beginning

1 July 1, 2013, and ending June 30, 2015. An independent home and community-based services
2 case manager:

3 1. Is a ~~licensed~~ social worker licensed under section 43-41-04 who:

4 a. (1) Meets the requirements of section 43-41-05 for the private practice of social
5 work; or

6 (2) Works for an agency other than a county social service agency; and

7 b. Is enrolled as a qualified service provider to provide case management services
8 under rules adopted by the department.

9 2. May:

10 a. Determine eligibility for benefits under this chapter and periodically redetermine
11 eligibility of persons receiving benefits pursuant to this chapter under the
12 direction and supervision of the department;

13 b. Provide case management services to recipients; and

14 c. Conduct initial and subsequent periodic functional assessments of applicants and
15 recipients.

16 **SECTION 4. EXPIRATION DATE.** This Act is effective through June 30, 2015, and after that
17 date is ineffective.