

Sixty-third
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2108

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 50-06-05.3, 50-06-05.4, and 50-06-05.5 of the
2 North Dakota Century Code, relating to services provided at the regional human service centers
3 and to human service councils.

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

5 **SECTION 1. AMENDMENT.** Section 50-06-05.3 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **50-06-05.3. Regional human service centers - Powers - Duties - Human service**
8 **council advisory groups.**

9 1. Regional human service centers organized under this chapter are those centers
10 established to provide human services as authorized by law. The term "human
11 service" means service provided to individuals or their families in need thereof to help
12 them achieve, maintain, or support the highest level of personal independence and
13 economic self-sufficiency, including health, mental health, education, manpower,
14 social, ~~vocational rehabilitation, aging,~~ food and nutrition, and housing service.
15 Regional human service centers shall function as regional administrative units
16 established, within the multicounty areas designated by the governor's executive order
17 1978-12 dated October 5, 1978, to provide for the planning and delivery of human
18 services.

19 2. Regional human service centers shall provide human services to all eligible individuals
20 and families to help them achieve or maintain social, emotional, and economic
21 self-sufficiency; prevent, reduce, or eliminate dependency; prevent or remedy the
22 neglect, abuse, or exploitation of children and of adults unable to protect their own
23 interests; aid in the preservation, rehabilitation, and reuniting of families; prevent or
24 reduce inappropriate institutional care by providing for care while institutionalized or

1 providing for community-based or other forms of less restrictive care; secure referral or
2 admission for institutional care; provide outpatient diagnostic and treatment services;
3 provide information concerning guardianship to people interested in becoming or who
4 are guardians; and provide rehabilitation services for patients with mental or emotional
5 disorders, an intellectual disability, and other psychiatric conditions, particularly for
6 those patients who have received prior treatment in an inpatient facility. Regional
7 human service centers shall deliver services in the manner prescribed by the
8 department.

- 9 3. ~~The director shall appoint a human service council of advisory group for each~~ human
10 service center ~~shall be a council of not more than~~ consisting of up to thirteen members.
11 ~~The council~~ Each group member must be appointed ~~by the boards of county-~~
12 ~~commissioners of the respective counties within~~ a resident of the region meeting jointly-
13 ~~with the director of the regional human service center, except for the appointment of~~
14 ~~the initial human service council which must be as provided in section 41 of chapter~~
15 ~~486 of the 1981 Session Laws~~ the member is appointed to serve. County ~~The director~~
16 ~~shall appoint two current county commissioners may~~ and one current county social
17 ~~service board member to serve as members of the~~ human service council provided,
18 ~~that the commission members do not comprise more than one-third of the total council~~
19 ~~members~~ advisory group. ~~The director may appoint an additional current commissioner~~
20 ~~to serve in lieu of the current county social service board member.~~ The director may
21 appoint an additional current commissioner to serve in lieu of the current county social
22 service board member. The terms of office must be two years and arranged so that the
23 term of ~~six~~ one-half of the members shall ~~expire~~ expires at the end of the first year and
24 the term of ~~seven~~ the remaining members shall ~~expire~~ expires at the end of the second
25 year. ~~Members~~ The director shall select the members of each human service council
26 ~~are to be selected~~ advisory group on the basis of population ~~from~~ residents of the
27 counties in the region served by the human service center. Each county in the region
28 must ~~have~~ be represented by at least one member on the human service
29 council ~~advisory group.~~ advisory group. To the extent possible, membership ~~on~~ of the council ~~advisory~~
30 group must reflect regional interests in the fields of developmental disabilities, social
31 services, ~~vocational rehabilitation,~~ mental health, and alcoholism and drug abuse.

1 ~~Members~~The director shall elect~~appoint a chairman for each advisory group from the~~
2 ~~council membership a chairman and other officers as the council deems necessary. All~~
3 ~~members of each council must be residents of the area served by the regional human~~
4 ~~service center~~of the advisory group. Vacancies~~The director shall fill a vacancy~~
5 ~~occurring on the board~~within an advisory group for other than the expiration of a term
6 ~~must be filled~~ in the same manner as original appointments, except that appointments
7 ~~must be made only for the unexpired term. Members~~The department shall
8 ~~compensate members of the~~a human service council must be compensated~~advisory~~
9 ~~group~~ at the rate of forty-five dollars per day, not to exceed twenty-five days in any one
10 ~~year. The~~ department also shall pay ~~members must also be paid~~ for mileage and
11 ~~actual expenses incurred in attending meetings and in the performance of their official~~
12 ~~duties in the amounts provided by law for other state officers.~~

13 **SECTION 2. AMENDMENT.** Section 50-06-05.4 of the North Dakota Century Code is
14 amended and reenacted as follows:

15 **50-06-05.4. Duties of human service ~~council~~advisory groups.**

16 ~~The~~Each human service ~~councils~~advisory group of the regional human service centers shall
17 perform the following duties:

- 18 1. ~~Assist in~~Provide information to the department relative to needs assessment and the
19 ~~planning and development of health and social resources to assure~~for the effective
20 ~~and efficient delivery of high-quality human services fully accessible to all citizens.~~
- 21 2. ~~Review and evaluate~~ services and programs provided by the regional human service
22 ~~centers and make periodic reports to the department together with any~~
23 ~~recommendations the councils~~advisory group may have for improvement in services,
24 ~~programs, or facilities.~~
- 25 3. Promote cooperation and working agreements with private human service agencies.
- 26 4. ~~Review the budgets for submission to the executive director for consideration and~~
27 ~~submission within the budget request for the department.~~
- 28 5. Promote local and regional financing from public and private sources.

29 **SECTION 3. AMENDMENT.** Section 50-06-05.5 of the North Dakota Century Code is
30 amended and reenacted as follows:

1 **50-06-05.5. Director of regional center - Medical director.**

2 Each regional human service center must be headed by a regional director appointed by
3 the executive director of the department ~~in consultation with the regional human service council.~~
4 The regional director must be accountable to the executive director or the director's designee.
5 Each regional director ~~shall have the authority to~~may employ the staff necessary to discharge
6 the center's responsibilities. ~~The~~A regional director ~~shall also have authority,~~ subject to the
7 approval of the executive director of the department or the director's designee, and within the
8 limit of legislative appropriations, ~~to~~may make contractual arrangements with public or private
9 agencies or with individuals and organizations to discharge the regional human service center's
10 service delivery responsibilities. ~~The staff of each~~Each regional human service center~~director~~
11 ~~shall include~~hire a qualified medical professional who must be designated as the medical
12 director of the center. The medical director ~~must be primarily~~is responsible for coordinating
13 mental health and medically related services. The medical director's position may be part time
14 or full time as determined appropriate by the regional director, with the concurrence of the
15 executive director or the director's designee. ~~At the discretion of the~~The executive director, or
16 the director's designee may appoint the regional director of a center, ~~if qualified therefor, could~~
17 ~~also be appointed to be the~~ medical director of that center, provided the regional director is
18 qualified to be the medical director. As used in this section, "qualified medical professional"
19 means an individual possessing a degree of doctor of psychiatry, when such an individual can
20 be employed, and when this is not possible, an individual possessing at least a medical degree.