

Introduced by

Human Services Committee

(At the request of the Department of Human Services)

1 A BILL for an Act to amend and reenact section 25-03.2-03.1 of the North Dakota Century
2 Code, relating to decreasing residential child care facility bed capacity to increase psychiatric
3 residential treatment facility bed capacity.

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

5 **SECTION 1. AMENDMENT.** Section 25-03.2-03.1 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **25-03.2-03.1. Moratorium on expansion of psychiatric residential treatment facility for**
8 **children bed capacity - Conversion of bed capacity.**

9 1. Notwithstanding sections 25-03.2-03 and 25-03.2-08, unless a needs assessment
10 conducted by the department indicates a need for the licensing of additional bed
11 capacity, the department may not issue a license under this chapter for any additional
12 bed capacity for a psychiatric residential treatment facility for children above the
13 state's gross number of beds licensed as of June 30, 2003. This ~~section~~subsection
14 does not apply to nor prohibit the department from licensing additional bed capacity for
15 a new psychiatric residential treatment facility for children if the additional beds are
16 designated for the care of children and adolescents who are residents of other states.
17 2. Notwithstanding subsection 1, the department may convert residential child care
18 facility bed capacity licensed under chapter 50-11 to psychiatric residential treatment
19 facility bed capacity licensed under this chapter. The department may add one
20 psychiatric residential treatment facility bed for every two beds by which it decreases
21 residential child care facility bed capacity. *When necessary, the department may revert*
22 *one psychiatric residential treatment facility bed to two residential child care facility*
23 *beds.* The department may not increase residential child care facility bed capacity by
24 decreasing psychiatric residential treatment facility bed capacity.