

Sixty-sixth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1126

Introduced by

Representative Weisz

Senator J. Lee

1 A BILL for an Act to amend and reenact section 23-09.3-08.1 of the North Dakota Century
2 Code, relating to basic care facility end-of-life services.

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

4 **SECTION 1. AMENDMENT.** Section 23-09.3-08.1 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **23-09.3-08.1. Admission of residents to basic care facility - Restrictions - Exception.**

7 1. A basic care facility may not admit and retain ~~only~~ an individual ~~for whom~~ unless the
8 facility:

9 a. Facility provides, directly or through contract, appropriate services within the
10 facility to attain or maintain the individual at the individual's highest practicable
11 level of functioning. ~~A basic care facility may admit or retain only an individual~~
12 ~~whose condition; and~~

13 b. Condition and abilities of that individual are consistent with the national fire
14 protection association 101 life safety code requirements.

15 2. Notwithstanding contrary provisions in subsection 1, a basic care facility may retain an
16 individual in need of end-of-life services if the facility wraps around the individual's
17 family, or the individual's designee, volunteers, or staff services to support the
18 individual through end of life. The facility, individual, or the individual's designee may
19 contract with a person or hospice agency to meet the needs of the individual. A basic
20 care facility continues to be responsible for the care and services of every resident.