



ACUTE PSYCHIATRIC TREATMENT COMMITTEE

Thursday, July 28, 2022
Roughrider Room, State Capitol
Bismarck, North Dakota

Representative Jon O. Nelson, Chairman, called the meeting to order at 9:02 a.m.

Members present: Representatives Jon O. Nelson, Emily O'Brien, Randy A. Schobinger*, Michelle Strinden; Senators Dick Dever, Kathy Hogan, Tim Mathern

Member absent: Senator Kyle Davison

Others present: Senator Judy Lee, West Fargo
See [Appendix A](#) for additional persons present.

**Attended remotely*

It was moved by Senator Hogan, seconded by Senator Mathern, and carried on a voice vote that the minutes of the June 15, 2022, meeting be approved as distributed.

ACUTE PSYCHIATRIC HOSPITALIZATION AND RESIDENTIAL CARE STUDY **Department of Human Services**

Medicaid Plan Amendments

Ms. Caprice Knapp, Director, and Ms. Krista Fremming, Deputy Director, Medical Services Division, Department of Human Services, presented information ([Appendix B](#)) regarding the status of the department seeking Medicaid plan amendments or Medicaid waivers pursuant to Section 5 of House Bill No. 1012 (2021).

Status of Task Forces

Ms. Pamela Sagness, Director, Behavioral Health Division, Department of Human Services, presented information regarding the status of task forces formed to address recommendations included in the Renee Schulte Consulting, LLC, final report. She noted:

- The department has formed a task force related to geropsychiatric needs in the state and a task force related to behavioral health services in critical access hospitals with goals of identifying barriers for individuals to receive services and finding solutions to increase access to those services;
- Because the goals of the task forces align with recommendations from the 2018 Human Services Research Institute (HSRI) report, the department has contracted with HSRI to facilitate the task force meetings;
- The department is meeting with Renee Schulte Consulting, LLC, regarding recommendations in the Renee Schulte Consulting, LLC, final report; and
- The department anticipates an update may be available in late September 2022 regarding barriers identified, potential solutions, time frames for implementation, and progress made by the task forces.

State Hospital and Human Service Centers Statutes

Mr. Jonathan Alm, Attorney, Department of Human Services, presented information ([Appendix C](#)) regarding proposed statutory amendments related to the purpose of the State Hospital and human service centers. He noted:

- The amendments would update outdated terminology in Sections 12 and 13 of Article IX of the Constitution of North Dakota and North Dakota Century Code Sections 25-02-03 and 50-06-05.3; and
- The department is considering introducing an agency bill with more comprehensive proposed amendments related to the State Hospital and human service centers.

Committee Discussion

Senator Mathern presented information ([Appendix D](#)) regarding the State Department of Health's behavioral health loan repayment program and distributed a bill draft [23.0110.01000] to provide an appropriation of \$408,000 to the Department of Health and Human Services for the program. He noted:

- Of the total, \$173,500 is from the general fund and \$234,500 is from the community health trust fund; and
- The bill would result in a total of \$800,125 for the program during the 2023-25 biennium, of which \$331,125 is from the general fund and \$469,000 is from the community health trust fund.

Comments by Interested Persons

Mr. Jeff Herman, Group Chief Executive Officer, Prairie St. John's, presented information ([Appendix E](#)) regarding behavioral health and acute psychiatric services provided at Prairie St. John's, rules related to institutions of mental disease (IMD), and the committee's study.

Mr. Ty Hegland, President and Chief Executive Officer, ShareHouse, presented information regarding rules for IMDs, substance use disorders, and the committee's study.

Ms. Carlotta McCleary, Spokesperson, Mental Health Advocacy Network, presented information ([Appendix F](#)) regarding the Mental Health Advocacy Network's reaction to recommendations included in the Renee Schulte Consulting, LLC, final report, IMD waivers, and the committee's study.

Mr. Jac McTaggart, Senior Director and Chief Executive Officer, Sanford Mayville Medical Center and Sanford Hillsboro Medical Center, emailed information ([Appendix G](#)) regarding the cost of converting a general critical access hospital bed to an acute psychiatric inpatient bed.

Ms. Lorraine Davis, Chief Executive Officer, NATIVE, Inc., presented information regarding addiction services available for Native Americans.

BEHAVIORAL HEALTH NEEDS OF INCARCERATED ADULTS STUDY

Mr. Dave Krabbenhoft, Director, Department of Corrections and Rehabilitation and Ms. Lea Quam, Deputy Director, Transitional Planning Services Division, Department of Corrections and Rehabilitation, presented information ([Appendix H](#)) regarding the process of paroling an individual to the State Hospital without the individual's consent. Ms. Quam noted:

- The Department of Human Services and Department of Corrections and Rehabilitation coordinate meetings, exchange patient documentation, sentencing information, treatment plans, psychological diagnostic assessment information, and other data as necessary to ensure a successful transition from correction facilities to the State Hospital;
- State Hospital staff generally meet with the individual before the individual's parole date to begin building rapport and to reduce the individual's stress;
- The State Hospital will assess the parolee for 30 to 60 days to complete a psychiatric evaluation and provide disposition recommendations to the Department of Corrections and Rehabilitation; and
- A recommendation for the individual to remain at the State Hospital without the individual's consent must be consistent with involuntary commitment requirements of Chapter 25-03.1.

MENTAL AND BEHAVIORAL HEALTH SERVICES OF OCCUPATIONAL BOARDS STUDY

Minot State University

Dr. Steven W. Shirley, President, and Dr. Lacey Corneliusen, Social Work Assistant Professor, Minot State University, presented information (Appendices [I](#) and [J](#)) regarding behavioral health workforce needs in the state and data regarding student enrollment in behavioral health-related courses at Minot State University (MSU). Dr. Shirley noted:

- In the spring of 2022, 78 students graduated from MSU with an undergraduate degree in social work, which increased from 49 social work graduates in 2017 and 31 graduates in 2013;
- MSU has the only addiction studies program in the state which averages 9 to 10 graduates each year;
- Every 4-year North Dakota higher education institution offers a psychology program and the MSU program averages 10 to 12 graduates each year; and
- MSU has the only school psychology program in the state that averages 7 graduates each year and currently has 26 students enrolled in the program.

Dr. Corneliusen noted:

- Tuition costs and lack of available graduate programs can be barriers for students to pursue behavioral health careers; and
- Programs offered at MSU allow students to graduate with educational qualifications required to become licensed as both a social worker and an addiction counselor.

Department of Commerce

Ms. Katie Ralston Howe, Director, Workforce Development Division, Department of Commerce, presented information ([Appendix K](#)) regarding the department's workforce task force efforts ([Appendix L](#)) related to behavioral health occupations and behavioral health workforce needs in the state, including any changes needed for behavioral health licensure, reciprocity agreements, and composite board considerations. She noted:

- In February 2020, the Workforce Development Council created a subcommittee of legislators and other stakeholders of North Dakota occupational licensing boards to evaluate barriers for individuals attempting to enter or move through the workforce with a goal of removing unnecessary barriers to employment;
- National occupational licensure reform has been pursued through interstate compacts, universal license recognition, and reciprocity agreements;
- In May 2022, the Department of Commerce sent a survey to occupational boards and through July 27, 2022, has received 27 responses that revealed the average time to approve a license application has decreased since the last survey was sent in 2020; and
- The Workforce Development Council intends to recommend a centralized system be developed for licensing boards and recommend policies that remove barriers for professionals to be licensed in the state.

Governor's Office

Ms. Maria Neset, Policy Advisor, Governor's office, presented information ([Appendix M](#)) regarding executive orders issued during the COVID-19 pandemic related to occupational board licensing requirements and the effects of those orders on the number of out-of-state practitioners providing services in the state. She noted:

- Executive Order 2020-05.1 waived certain requirements for individuals licensed in good standing in other states for health care and behavioral health professionals applying for licensure in North Dakota.
- As a result, 1,432 applications were submitted, of which 1,084 applications were approved and 348 were not approved, generally due to a lack of documentation submitted.

North Dakota State Board of Psychologist Examiners

Dr. Paul Kolstoe, Secretary/Treasurer, North Dakota State Board of Psychologist Examiners, presented information ([Appendix N](#)) regarding administrative services the board receives, who provides the services, and the cost of the services, and comments regarding the potential for receiving administrative services from a state agency, including any potential efficiencies that may be gained. He noted:

- The board receives the majority of its administrative services from APT Solutions, Inc., at an annual cost of \$38,400 and information technology (IT) and email services from the Information Technology Department at an annual cost of \$3,600;
- A risk of occupational boards using state-provided services is there may be limited flexibility to use other services when a third-party provider may be cheaper; and
- A regulatory board coordinator position could help occupational boards become more efficient.

Board of Addiction Counseling Examiners

Mr. Kurt Snyder, Chairman, Board of Addiction Counseling Examiners, presented information ([Appendix O](#)) regarding administrative services the board currently receives, who provides the services, and the cost of the services, and comments regarding the potential for receiving administrative services from a state agency, including any potential efficiencies that may be gained. He noted:

- Until April 2022, the board employed a board administrator to provide administrative services but has now contracted with Olson Effertz Lobbying and Consulting, LLC, for board administration services, including postage, printing, web hosting, and telephone services at an annual cost of \$48,000; and
- The board would support receiving certain state IT services but is concerned receiving all IT services from the state would result in increased costs compared to the cost of services from the current provider.

Board of Counseling Examiners

Ms. Marge Ellefson, Executive Secretary, Board of Counselor Examiners, presented information ([Appendix P](#)) regarding administrative services the board currently receives, who provides the services, and the cost of the services, and comments regarding the potential for receiving administrative services from a state agency, including any potential efficiencies that may be gained. She noted:

- The board employs an executive secretary who performs all administrative duties and certain IT functions such as web hosting at an annual cost of \$24,000; and
- Potential efficiencies of receiving administrative services from a state agency may include the ability to upgrade online application, renewal, fee collection, document scanning, and storage equipment and software while potential inefficiencies may include the lack of direct communication of someone employed by the board working with licensed counselors.

North Dakota Board of Social Work Examiners

Ms. Holly Hammarsten, President, North Dakota Board of Social Work Examiners, presented information ([Appendix Q](#)) regarding administrative services the board currently receives, who provides the services, and the cost of the services, and comments regarding the potential for receiving administrative services from a state agency, including any potential efficiencies that may be gained. She noted:

- The board is transitioning from receiving services from APT Solutions, Inc., to Olson Effertz Lobbying and Consulting, LLC; and
- Olson Effertz Lobbying and Consulting, LLC, will provide administrative services, including email, telecommunication, web hosting, financial management, audit preparation, and other board services at an annual cost of \$75,600.

North Dakota Marriage and Family Therapy Licensure Board

Pastor Larry J. Giese, Board Administrator, North Dakota Marriage and Family Therapy Licensure Board, presented information ([Appendix R](#)) regarding administrative services the board currently receives, who provides the services, and the cost of the services, and comments regarding the potential for receiving administrative services from a state agency, including any potential efficiencies that may be gained. He noted:

- The board receives audit services from the State Auditor, legal services from the Attorney General's office, and risk management services from the Office of Management and Budget; and
- The board's concerns regarding a requirement to receive administrative services from a state agency include deciding who would be responsible for board budgets, collecting fees, processing invoices, reviewing applications and renewals, processing licensee disciplinary actions, coordinating with national marriage and family therapy organizations, and determining who would have authority to make policy decisions.

No further business appearing, Chairman Nelson adjourned the meeting at 3:30 p.m.

Levi Kinnischtzke
Senior Fiscal Analyst

ATTACH:18