

**2023 HOUSE HUMAN SERVICES**

**HB 1375**

# 2023 HOUSE STANDING COMMITTEE MINUTES

## Human Services Committee Pioneer Room, State Capitol

HB 1375  
1/31/2023

A BILL for an Act to provide an appropriation to the department of health and human services to reimburse child-placing agencies for the costs of home study reports.
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Chairman Weisz called the meeting to order at 10:13 AM.

Chairman Robin Weisz, Reps. Karen A. Anderson, Mike Beltz, Clayton Fegley, Kathy Frelich, Dawson Holle, Dwight Kiefert, Carrie McLeod, Todd Porter, Brandon Prichard, Karen M. Rohr, Jayme Davis, and Gretchen Dobervich present. Vice Chairman Matthew Ruby and Rep. Jayme Davis not present.

### **Discussion Topics:**

- Costs of adoption
- Impact of recent U.S. Supreme Court rulings.
- Conduction of home studies
- Determining households for child-placing

Rep. Fischer introduced HB 1375.

Christopher Dodson, Executive Director for the North Dakota Catholic Conference, offered testimony in support of bill, #17992.

Mark Jorritsma, Executive Director for the North Dakota Family Alliance Legislative Action, offered testimony in support of bill, #17685.

Bailey Grainer, North Dakota citizen, oral testimony in support of bill.

### **Additional written testimony:**

Sierra Heitkamp, NDRL Legislative Director, #18056.

Chairman Weisz adjourned the meeting at 10:26 AM.

*Phillip Jacobs, Committee Clerk*

# 2023 HOUSE STANDING COMMITTEE MINUTES

## Human Services Committee Pioneer Room, State Capitol

HB 1375  
2/1/2023

A BILL for an Act to provide an appropriation to the department of health and human services to reimburse child-placing agencies for the costs of home study reports.

Chairman Weisz called the meeting to order at 2:56 PM.

Chairman Robin Weisz, Reps. Karen A. Anderson, Mike Beltz, Clayton Fegley, Kathy Frelich, Dawson Holle, Dwight Kiefert, Carrie McLeod, Todd Porter, Brandon Prichard, Karen M. Rohr, Jayme Davis, and Gretchen Dobervich present. Absent: Vice Chairman Matthew Ruby.

### Discussion Topics:

- Committee work

Chairman Weisz called for a discussion on HB 1375.

Rep. Prichard moved a do pass on HB 1375.

Seconded by Rep. Anderson.

Roll Call Vote:

Representatives	Vote
Representative Robin Weisz	Y
Representative Matthew Ruby	AB
Representative Karen A. Anderson	Y
Representative Mike Beltz	Y
Representative Jayme Davis	Y
Representative Gretchen Dobervich	Y
Representative Clayton Fegley	Y
Representative Kathy Frelich	Y
Representative Dawson Holle	Y
Representative Dwight Kiefert	Y
Representative Carrie McLeod	Y
Representative Todd Porter	Y
Representative Brandon Prichard	Y
Representative Karen M. Rohr	Y

Motion carries 13-0-1. Carried by Rep. Anderson.

Chairman Weisz adjourned the meeting at 2:58 PM

*Phillip Jacobs, Committee Clerk*

Rerefer to appropriations.

**REPORT OF STANDING COMMITTEE**

**HB 1375: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1375 was rereferred to the **Appropriations Committee**.

**2023 HOUSE APPROPRIATIONS**

**HB 1375**

# 2023 HOUSE STANDING COMMITTEE MINUTES

**Appropriations Committee**  
Brynhild Haugland Room, State Capitol

HB 1375  
2/9/2023

BILL for an Act to provide an appropriation to the department of health and human services to reimburse child-placing agencies for the costs of home study reports.
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**8:48 AM Chairman Vigesaa-** Called the meeting to order and roll call was taken:

**Members present:** Chairman Vigesaa, Representative Kempenich, Representative Bellew, Representative Brandenburg, Representative Hanson, Representative Kreidt, Representative Martinson, Representative Mitskog, Representative Meier, Representative Mock, Representative Monson, Representative Nathe, Representative O'Brien, Representative Pyle, Representative Richter, Representative Sanford, Representative Schatz, Representative Schobinger, Representative Strinden, Representative G. Stemen and Representative Swiontek.

**Members not Present:** Representative B. Anderson and Representative J. Nelson

**Discussion Topics:**

- Home Study for Adoptions
- Independent Contractors
- Private & Subsidized Adoptions

**Representative Weisz-** Introduces the bill.

Committee discussion

**Chairman Vigesaa-** Closed the hearing for HB 1375 at 9:06 AM

*Risa Berube, Committee Clerk*

# 2023 HOUSE STANDING COMMITTEE MINUTES

**Appropriations Committee**  
Brynhild Haugland Room, State Capitol

HB 1375  
2/16/2023

BILL for an Act to provide an appropriation to the department of health and human services to reimburse child-placing agencies for the costs of home study reports.
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## 11:39 AM Chairman Vigesaa

**All Members Present;** Chairman Vigesaa, Representative Kempenich, Representative B. Anderson, Representative Bellew, Representative Brandenburg, Representative Hanson, Representative Kreidt, Representative Martinson, Representative Mitskog, Representative Meier, Representative Mock, Representative Monson, Representative Nathe, Representative J. Nelson, Representative O'Brien, Representative Pyle, Representative Richter, Representative Sanford, Representative Schatz, Representative Schobinger, Representative Strinden, Representative G. Stemen and Representative Swiontek.

### Discussion Topics:

- Home Study for Adoption

**Representative Pyle-** Further explains the bill and it's need.

**Representative Pyle-**Move for a Do Pass

**Representative Mitskog-** Seconds the motion.

Committee discussion- Roll call vote

<b>Representatives</b>	<b>Vote</b>
Representative Don Vigesaa	Y
Representative Keith Kempenich	Y
Representative Bert Anderson	Y
Representative Larry Bellew	Y
Representative Mike Brandenburg	Y
Representative Karla Rose Hanson	Y
Representative Gary Kreidt	Y
Representative Bob Martinson	Y
Representative Lisa Meier	Y
Representative Alisa Mitskog	Y
Representative Corey Mock	Y
Representative David Monson	Y
Representative Mike Nathe	Y
Representative Jon O. Nelson	Y
Representative Emily O'Brien	Y

Representative Brandy Pyle	Y
Representative David Richter	Y
Representative Mark Sanford	Y
Representative Mike Schatz	Y
Representative Randy A. Schobinger	Y
Representative Greg Stemen	Y
Representative Michelle Strinden	Y
Representative Steve Swiontek	Y

**Motion Carries 23-0-0 Representative K. Anderson will carry**

**11:43 AM Chairman Vigesaa-** Closed the meeting for HB 1375

*Risa Berube, Committee Clerk*



**REPORT OF STANDING COMMITTEE**

**HB 1375: Appropriations Committee (Rep. Vigesaa, Chairman)** recommends **DO PASS** (23 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1375 was placed on the Eleventh order on the calendar.

**2023 SENATE HUMAN SERVICES**

**HB 1375**

# 2023 SENATE STANDING COMMITTEE MINUTES

**Human Services Committee**  
Fort Lincoln Room, State Capitol

HB 1375  
3/13/2023

Relating to an appropriation to the department of health and human services to reimburse child-placing agencies for the costs of home study reports.
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3:09 PM **Madam Chair Lee** called the hearing to order. **Senators Lee, Cleary, Clemens, K. Roers, Weston, and Hogan** are present.

### **Discussion Topics:**

- Reduce adoption cost
- Home study cost
- Adoption agency study

3:09 PM **Representative Jay Fisher, District 5**, introduced HB 1375 and testified in favor verbally.

3:12 PM **Christopher Dobson, Executive Director ND Catholic Conference**, testified in favor. # 24242.

3:17 PM **Sierra Heitkamp, Legislative Director of North Dakota to Right to Life**, testified in favor. #24342.

3:19 PM **Senator Lee** closed the hearing.

3:21 PM **Cory Pedersen, Director Children and Family Services Section, ND Department of Health and Human Services**, provided additional information verbally.

### **Additional Testimony:**

**Mark Jorritsma, Executive Director, North Dakota Family Alliance Legislative Action** in favor #24060

3:23 PM **Madam Chair Lee** adjourned the hearing.

*Patricia Lahr, Committee Clerk*

# 2023 SENATE STANDING COMMITTEE MINUTES

**Human Services Committee**  
Fort Lincoln Room, State Capitol

HB 1375  
3/14/2023

Relating to an appropriation to the department of health and human services to reimburse child-placing agencies for the costs of home study reports.
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4:18 PM **Madam Chair Lee** called the meeting to order. **Senators Lee, Cleary, Clemens, K. Roers, Weston, and Hogan** are present.

**Discussion Topics:**

- Adoption cost

**Senator Lee** calls for discussion

**Senator K. Roers** will provide additional information on Wednesday March 15.

4:26 PM **Madam Chair Lee** adjourned the hearing.

*Patricia Lahr, Committee Clerk*

# 2023 SENATE STANDING COMMITTEE MINUTES

**Human Services Committee**  
Fort Lincoln Room, State Capitol

HB 1375  
3/20/2023

Relating to an appropriation to the department of health and human services to reimburse child-placing agencies for the costs of home study reports.

4:24 PM **Madam Chair Lee** called the meeting to order. **Senators Lee, Clemens, K. Roers, Weston, and Hogan** are present. **Senator Cleary** was absent.

**Discussion Topics:**

- Reduce adoption cost

4:25 PM **Jonathan Alm, Attorney, North Dakota Department Human and Health Services** provided information verbal

**Senator Lee** calls for discussion

**Senator Hogan** moved **DO PASS** an **REREFER** to **APPROPRIATIONS**.

**Senator K. Roers** seconded the motion.

Roll call vote.

<b>Senators</b>	<b>Vote</b>
Senator Judy Lee	Y
Senator Sean Cleary	AB
Senator David A. Clemens	Y
Senator Kathy Hogan	Y
Senator Kristin Roers	Y
Senator Kent Weston	Y

The motion passed 5-0-1.

**Senator Weston** will carry HB 1375.

4:34 PM **Madam Chair Lee** adjourned the meeting.

*Patricia Lahr, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**HB 1375: Human Services Committee (Sen. Lee, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1375 was rereferred to the **Appropriations Committee**. This bill does not affect workforce development.

**2023 SENATE APPROPRIATIONS**

**HB 1375**

# 2023 SENATE STANDING COMMITTEE MINUTES

## Appropriations Committee Roughrider Room, State Capitol

HB 1375  
3/27/2023

A BILL for an Act to provide an appropriation to the department of health and human services to reimburse child-placing agencies for the costs of home study reports.

2:45 PM Chairman Bekkedahl opened the meeting on HB 1375.

Members present: Senators Bekkedahl, Krebsbach, Burckhard, Davison, Dever, Dwyer, Erbele, Kreun, Meyer, Roers, Schaible, Sorvaag, Vedaa, Wanzek, Rust, and Mathern.

### Discussion Topics:

- Child placing agencies
- Home study reports
- Costs
- Committee action

2:45 PM Senator Bekkedahl introduced the bill, no written testimony

3:00 PM Senator Mathern moved DO PASS.  
Senator Dever seconded the motion.

Senators	Vote
Senator Brad Bekkedahl	Y
Senator Karen K. Krebsbach	Y
Senator Randy A. Burckhard	Y
Senator Kyle Davison	Y
Senator Dick Dever	Y
Senator Michael Dwyer	Y
Senator Robert Erbele	Y
Senator Curt Kreun	Y
Senator Tim Mathern	Y
Senator Scott Meyer	AB
Senator Jim P. Roers	Y
Senator David S. Rust	Y
Senator Donald Schaible	Y
Senator Ronald Sorvaag	Y
Senator Shawn Vedaa	Y
Senator Terry M. Wanzek	Y

Motion passed 15-0-1

Senator Weston will carry the bill.

3:04 PM Chairman Bekkedahl closed the meeting.

*Kathleen Hall, Committee Clerk*



**REPORT OF STANDING COMMITTEE**

**HB 1375: Appropriations Committee (Sen. Bekkedahl, Chairman)** recommends **DO PASS** (15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1375 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

**TESTIMONY**

**HB 1375**



# NORTH DAKOTA

## *Family Alliance* LEGISLATIVE ACTION

### Testimony in Support of House Bill 1375

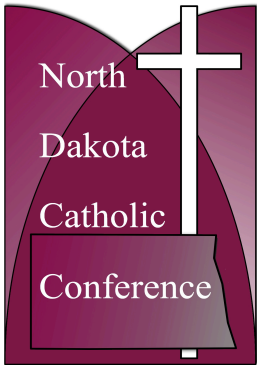
Mark Jorritsma, Executive Director  
North Dakota Family Alliance Legislative Action  
January 31, 2023

Good morning Chairman Weisz and honorable members of the House Human Services Committee. My name is Mark Jorritsma and I am the Executive Director of North Dakota Family Alliance Legislative Action. We are submitting testimony in support of House Bill 1375 and respectfully request that you issue a “DO PASS” on this bill.

With the overturn of *Roe v. Wade* earlier this year and the hopeful successful defense of our state’s Trigger Law on abortion, expectant mothers will be seeking options other than abortion to address their circumstances. That’s where adoption can come in. It seems appropriate for us to come alongside these new mothers and help them with alternatives to abortion like adoption.

One way to do this is by helping families looking to adopt. Adoption costs can be substantial, so if there is a way for the State of North Dakota to help facilitate the process, all the better. Also, with the total potential outlay associated with this bill being capped at \$262,000, it mitigates a possible increase in the number of ND adoptions and associated costs, post-Roe.

For the aforementioned reasons, North Dakota Family Alliance Legislative Action asks that you issue a “DO PASS” recommendation on HB 1375. With that, I’d be happy to stand for any questions.



Representing the Diocese of Fargo  
and the Diocese of Bismarck

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**To:** House Human Services Committee  
**From:** Christopher Dodson, Executive Director  
**Subject:** House Bill 1375 - Appropriation for Cost of Home Study Reports  
**Date:** January 31, 2023

The North Dakota Catholic Conference supports House Bill 1375 because it is the one bill this session that can immediately reduce the cost of adoption.

Probably the most common question I am asked in my position is: “How can we make adoption more affordable?” Legislators, in particular, have asked me that question many times since the *Dobbs* decision.

As you have already learned from your work on other bills, there are several “parts” to the adoption process that involve different chapters of the Century Code. For example, there is a legal process that finalizes the adoption. Although the legislature could examine that process to see if it could be streamlined, it has no direct control over the costs of the legal portion of the adoption process.

Nor can the legislature — short of prohibition — do anything about costs associated with adoptions initiated out-of-state or in other countries by entities or individuals not regulated by North Dakota law.

There is one thing that the state can do to reduce the costs of adoptions in North Dakota. It can reimburse the child-placing agency (commonly called an adoption agency) for the cost of the adoptive home study.

State law requires a child-placing agency to complete the home study for every adoption, but provides no reimbursement for this mandated expense.\* The agency can, and often does, ask the adoptive couple to pay for the study. But the agency cannot, by law, require the couple to pay for the study. In short, the state’s unfunded mandate falls on either the adoptive parent or the agency, adding to the costs of adoption.

Not only is the home study an unfunded mandate, but it is also something the state would be doing and paying for itself if the adoption agencies were not doing them. Adoption in the United States is a state function. Legally, only the state or persons designated by the state can facilitate adoptions. North Dakota chose long ago to delegate this state function to the child-placing agencies without, as noted, any funding for assuming this responsibility.

House Bill 1375 is straightforward. It provides funding for the Department of Health and Human Services to reimburse nonprofit child-placing agencies for the costs of completing the home study.

Three nonprofit adoption agencies facilitate almost all adoptions in North Dakota. They are Village Family Services, Catholic Charities of North Dakota, and Christian Adoption Services. Their costs for completing a home study range from \$3,000 to \$4,000. Combined, they complete about thirty-seven home studies a year.

These two charts, one using an actual cost and one using an average cost, show that the cost of completing the home studies is around \$262,000 or \$271,333 a biennium.

	Home Study Cost	No. per year	Total
<b>Agency A</b>	\$4000	10	\$40000
<b>Agency B</b>	\$3000	17	\$51000
<b>Agency C</b>	\$4000	10	\$40000
<b>Total per Year</b>		37	\$131000
<b>Total per Biennium</b>		74	\$262000

	Home Study Cost	No. per year	Total
<b>Agency A</b>	\$4000	10	
<b>Agency B</b>	\$3000	17	
<b>Agency C</b>	\$4000	10	
<b>Average Cost</b>	\$3667	37	\$135667
<b>Total per Biennium</b>			\$271333

As mentioned, reimbursing the agencies for the costs of completing the home studies may be the one thing this legislative body can do in this session to reduce the costs of adoption. Moreover, it is the state that requires the home study and it is the state that would be doing the home studies if it had not handed off that function to the adoption agencies. In short, there is a direct connection between the state government and this portion of the total costs of adoption.

The state of North Dakota should encourage adoption and make it affordable for those parents wanting to adopt. House Bill 1375 furthers that goal.

We ask for a **Do Pass** recommendation on House Bill 1375.

\* Chapter 50-12 requires completion of the adoptive home study and sets forth some of the requirements. Chapter 75-03-36 of the Administrative Code provides the requirements for licensed child-placement agencies, including the adoptive home study requirements. Administrative Code 75-03-36-31(4) states:

The child-placing agency shall document the following information in the applicant's record and a summary of the information must be recorded in the adoption assessment:

- a. Motivation for adoption;
- b. Strengths and challenges of each member of the family;
- c. The attitudes and feelings of the family members and extended family regarding adoption, with emphasis, if indicated, on attitudes and feelings about potential special needs and foreign-born children;
- d. Evidence of stability of the adoptive parents' marital or other significant relationships;
- e. The applicant's understanding of and plans for assisting a minority or foreign-born child to understand and value the child's racial and cultural background;
- f. Attitudes of the applicant toward the birth parents and the birth parents' reasons for placement;
- g. The applicant's plan for discussing adoption with the child;
- h. The applicant's emotional stability and maturity, including a history of treatment for substance abuse, mental health concerns, abuse or neglect issues, or other issues impacting the applicant's emotional stability and maturity. If indicated, the child-placing agency shall make arrangements for psychological evaluation of the applicant's emotional stability and maturity;
- i. The applicant's parenting skills and willingness to acquire additional skills needed for the child's development;
- j. The attitude of the applicant's birth children or previously adopted children about adoption, if applicable;
- k. Reports of the physical examination of the applicant or self-disclosure of medical concerns, current within the last twelve months;
- l. The applicant's ability to provide financially for the child to be adopted with or without financial assistance under subsidized adoption, including the availability of health insurance;
- m. The applicant's references, including at least five personal and community character references;
- n. The applicant's religious preference, if any;
- o. Description of the applicant's home and community;
- p. Substitute care for child care if the applicant works;
- q. Plans for care of the child in the event of the death of the applicant after the adoption;
- r. Results of fingerprint-based criminal history record investigation and child abuse and neglect index investigations; and
- s. Recommendations for adoption in regard to number, age, sex, characteristics, and special needs of children best served by the applicants.



## Chairman Robin Weisz and Members of the House Human Services Committee –

My name is Sierra Heitkamp and I am the Legislative Director for North Dakota Right to Life, the oldest and largest pro-life organization in our state. I am testifying today to represent the interests of our 3700 members across the state of North Dakota.

Since the overturn of Roe V. Wade on June 24, 2022, there have been many questions regarding what this means for women and families who find themselves in unplanned pregnancies in North Dakota. At North Dakota Right to Life, we questioned ourselves as to how our vision and goals may have to evolve moving forward to adequately protect those most vulnerable from conception to natural death.

After many conversations, the answer became clear – not only will we continue our work in protecting life at all stages, but we also want to back legislation that educates our citizens, encourages life, offers alternatives to abortion, and provides aid or resources to those who qualify. A woman or family who finds themselves with an unexpected pregnancy should never feel that abortion is their only option to achieve a successful, happy life.

HB 1375 appropriates funds “...for the purpose of reimbursing nonprofit child-placing agencies for the costs of completing home study reports.” We believe that this is a wonderful step in the right direction for mothers and families in our state as we look towards alternatives to abortion for unexpected pregnancies. This legislation, if passed, would help alleviate some of the costs of adoption in our state which will encourage families to look into this avenue as an alternative.

I ask this committee today for a **Do Pass recommendation on HB 1375** in order to protect mothers and families facing unexpected pregnancies and support families looking into adoption as we continue to promote and encourage life at all stages.

Thank you for your time today and I am available by phone or email to answer any questions you may have.



Sincerely,

*Sierra M Heitkamp*  
**Sierra M Heitkamp**  
NDRL Legislative Director



# NORTH DAKOTA

## *Family Alliance* LEGISLATIVE ACTION

### Testimony in Support of House Bill 1375

Mark Jorritsma, Executive Director  
North Dakota Family Alliance Legislative Action  
March 13, 2023

Good afternoon Madam Chair Lee and honorable members of the Senate Human Services Committee. My name is Mark Jorritsma and I am the Executive Director of North Dakota Family Alliance Legislative Action. We are submitting testimony in support of House Bill 1375 and respectfully request that you issue a “DO PASS” on this bill.

With the overturn of *Roe v. Wade* last year and the hopeful successful defense of our state’s Trigger Law on abortion, expectant mothers will be seeking options other than abortion to address their circumstances. That’s where adoption can come in. It seems appropriate for us to come alongside these new mothers and help them with alternatives to abortion like adoption.

One way to do this is by helping families looking to adopt. Adoption costs can be substantial, so if there is a way for the State of North Dakota to help facilitate the process, all the better. Also, with the total potential outlay associated with this bill being capped at \$262,000, it mitigates a possible increase in the number of ND adoptions and associated costs, post-Roe.

As you know, SB 2230, which is almost identical to this bill, was rendered a 6-0 “DO PASS” recommendation from this committee and then passed the Senate Floor by a 44-0 unanimous vote. Given this history and for the aforementioned reasons, North Dakota Family Alliance Legislative Action asks that you issue a “DO PASS” recommendation on HB 1375. With that, I’d be happy to stand for any questions.





Representing the Diocese of Fargo  
and the Diocese of Bismarck

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**From:** Christopher Dodson, Executive Director  
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- i. The applicant's parenting skills and willingness to acquire additional skills needed for the child's development;
- j. The attitude of the applicant's birth children or previously adopted children about adoption, if applicable;
- k. Reports of the physical examination of the applicant or self-disclosure of medical concerns, current within the last twelve months;
- l. The applicant's ability to provide financially for the child to be adopted with or without financial assistance under subsidized adoption, including the availability of health insurance;
- m. The applicant's references, including at least five personal and community character references;
- n. The applicant's religious preference, if any;
- o. Description of the applicant's home and community;
- p. Substitute care for child care if the applicant works;
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- r. Results of fingerprint-based criminal history record investigation and child abuse and neglect index investigations; and
- s. Recommendations for adoption in regard to number, age, sex, characteristics, and special needs of children best served by the applicants.



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My name is Sierra Heitkamp and I am the Legislative Director for North Dakota Right to Life, the oldest and largest pro-life organization in our state. I am testifying today to represent the interests of our 3700 members across the state of North Dakota.

Since the overturn of Roe V. Wade on June 24, 2022, there have been many questions regarding what this means for women and families who find themselves in unplanned pregnancies in North Dakota. At North Dakota Right to Life, we have decided to continue our work in protecting life at all stages, by backing legislation that educates our citizens, encourages life, offers alternatives to abortion, and provides aid or resources to those who qualify. A woman or family who finds themselves with an unexpected pregnancy should never feel that abortion is their only option to achieve a successful, happy life.

HB 1375 appropriates funds “...for the purpose of reimbursing nonprofit child-placing agencies for the costs of completing home study reports.” We believe that this is a wonderful step in the right direction for mothers and families in our state as we look towards alternatives to abortion for unexpected pregnancies. This legislation, if passed, would help alleviate some of the costs of adoption in our state which will encourage families to look into this avenue as an alternative.

I ask this committee today for a **Do Pass recommendation on HB 1375** in order to protect mothers and families facing unexpected pregnancies and support families looking into adoption as we continue to promote and encourage life at all stages.

Thank you for your time today and I am available by phone or email to answer any questions you may have.



Sincerely,

*Sierra M Heitkamp*  
**Sierra M Heitkamp**  
NDRL Legislative Director