

**2023 SENATE HUMAN SERVICES**

**SB 2084**

# 2023 SENATE STANDING COMMITTEE MINUTES

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

SB 2084  
1/9/2023

Relating to childcare assistance payments to providers.

9:04 AM **Madam Chair Lee** called the hearing to order. **Senators Lee, Cleary, Clemens, K. Roers, Weston, Hogan** are present.

## **Discussion Topics:**

- Payment
- Proposed changes
- Barrier

9:06 A.M. **Michele Gee Director Economic Assistance Section of the ND Department of Health and Human Services** testimony in favor #12550

9:20 AM **Madam Chair Lee** closed the hearing.

*Patricia Lahr, Committee Clerk*

# 2023 SENATE STANDING COMMITTEE MINUTES

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

SB 2084  
1/9/2023

Relating to childcare assistance payments to providers.

2:50 p.m. **Madam Chair Lee** called the Committee Work meeting to order. **Senators Lee, Cleary, Clemens, K. Roers, Weston** were present. **Senator Hogan** was absent.

2:51 P.M. **Jessica Thomasson Executive Director, Human Services Division ND Department of Health, and Human Services** clarified the changes made to provide eligibility verbal

**2:54 p.m. Madam Chair Lee** closed the meeting.

*Patricia Lahr, Committee Clerk*

# 2023 SENATE STANDING COMMITTEE MINUTES

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

SB 2084  
1/10/2023

Relating to childcare assistance payments to providers.

4:02 PM **Madam Chair Lee** called the meeting to order. **Senators Lee, Cleary, Clemens, K. Roers, Weston, Hogan** are present.

4:03 PM **Johnathon Alm** provides updated Amendment. #12815

**Madam Chair Lee** asks for motion.

**Senator K. Roers** moved **ADOPTION** of amendment. 23.8055.01001

**Senator Weston** seconded the motion.

Voice vote all in favor.

**Senator K. Roers** moved **DO PASS AS AMENDED**.

**Senator Hogan** seconded the motion.

Roll call vote.

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

The motion passed 6-0-0.

**Senator Cleary** will carry SB 2084

4:08 PM **Madam Chair Lee** closed the meeting.

*Patricia Lahr, Committee Clerk*

23.8055.01001  
Title.02000


Adopted by the Senate Human Services  
Committee

January 10, 2023

PROPOSED AMENDMENTS TO SENATE BILL NO. 2084

Page 3, line 19, after "children" insert "under the age of twelve"

Renumber accordingly

  
1 of 1  
1/10/2023

**REPORT OF STANDING COMMITTEE**

**SB 2084: Human Services Committee (Sen. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2084 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 3, line 19, after "children" insert "under the age of twelve"

Renumber accordingly

**2023 HOUSE HUMAN SERVICES**

**SB 2084**

# 2023 HOUSE STANDING COMMITTEE MINUTES

## Human Services Committee Pioneer Room, State Capitol

SB 2084  
3/6/2023

Relating to child care assistance payments to providers.

Acting Chairman Beltz called the meeting to order at 10:41 AM.

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

### **Discussion Topics:**

- Child enrollment
- Reimbursement payment

Michele Gee, Director of the Economic Assistance Section for the Department of Health and Human Services, introduced SB 2084 with supportive testimony (#22113).

Acting Chairman Beltz adjourned the meeting at 10:48 AM.

*Phillip Jacobs, Committee Clerk*



# 2023 HOUSE STANDING COMMITTEE MINUTES

## Human Services Committee Pioneer Room, State Capitol

SB 2084  
3/6/2023

Relating to child care assistance payments to providers.

Chairman Weisz called the meeting to order at 11:14 AM.

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

### Discussion Topics:

- Committee work

Chairman Weisz called for a discussion on SB 2084.

Rep. Beltz moved a do pass on SB 2084.

Seconded by Rep. Dobervich

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	AB
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 12-0-2.

Carried by Rep. Beltz.

Acting Chairman Beltz adjourned the meeting at 11:16 AM.

*Phillip Jacobs, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**SB 2084, as engrossed: Human Services Committee (Rep. Weisz, Chairman)**  
recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING).  
Engrossed SB 2084 was placed on the Fourteenth order on the calendar.

**TESTIMONY**

**SB 2084**

**Testimony**  
**Senate Bill No. 2084**  
**Senate Human Services Committee**  
**Senator Judy Lee, Chairman**  
January 9, 2023

Chairman Lee and members of the Senate Human Services Committee, I am Michele Gee, Director of the Economic Assistance Section for the Department of Health and Human Services (Department). I am here today to provide testimony in support of Senate Bill 2084 which was introduced on behalf of the Department.

Senate Bill 2084 proposes changes to North Dakota Century Code chapters 50-06 and 50-33 relating to child care assistance payments to providers.

**Section 1.** The proposed change in Section 1 of this Bill amends section 50-06-06.11 of North Dakota Century Code to remove the phrase “at the election of the early childhood facility”. This change would mean that all Child Care Assistance Program (CCAP) payments will be made directly to early childhood services providers, rather than the current practice which is that providers can elect those payments be issued directly to families.

To help assure timely child care assistance program payments to early childhood services providers, the Department transitioned from a retrospective to a prospective payment model in November 2022. This change allows the Department to pay for child care at the beginning of the month, based on a child’s enrollment in a child care program. Prior to this change, payment was made in the month after care was provided on the basis of attendance records that early childhood services providers were required to submit to Human Service Zones via paper billing forms or electronically through the online provider portal. Once received Human

Service Zone eligibility workers used the billing forms to calculate and authorize a reimbursement payment for child care provided in the prior month.

To make the transition to prospective payment possible, the Department updated its provider portal, which is part of the Self-Service Portal and Combined Eligibility System (SPACES), to allow providers to log in via a computer or mobile device and securely certify a child's enrollment in their program. Once certified, for every child who is eligible, a payment is automatically generated as a direct deposit into the provider's designated account on the 1<sup>st</sup> of the month. If providers are not able to certify enrollment prior to the 25<sup>th</sup> of the month, payment will be automatically generated to the provider's designated account within 3-5 business days of certification. Under current law, if a provider elects the payment be made to the family, the Department sends a payment file to the State Treasurer's Office so a paper check can be mailed to the family.

Since changing to the prospective payment process, approximately 2,600 of the 2,700 payments issued by the Department for child care assistance each month are made direct deposit to providers. Removing the election will reduce the burden on families who are eligible for child care assistance while still allowing providers to receive timely payments and streamlining the administration of the child care assistance program payment process.

**Section 2.** The proposed changes in Section 2 of this Bill amends section 50-33-01 of North Dakota Century Code to align the definition of "human service zone" with chapter 50-35, regarding state-funded human services and adds the definition of "in-home provider", aligned with the definition in section 50-11.1-02 regarding early childhood services.

**Section 3.** The proposed change in Section 3 of this Bill amends section 50-33-06 of North Dakota Century Code to allow an approved

relative to provide care for no more than five children through the age of twelve or three children under the age of two, including the provider's children. The amendment changes the upper limit from "under the age of twelve" to "through the age of twelve", aligning with the definition of school-age children and early childhood licensing requirements in section 50-11.1-02.1 of the North Dakota Century Code and as is currently proposed to be amended in Senate Bill 2104.

**Section 4.** The proposed changes in Section 4 of this Bill amends section 50-33-08 of North Dakota Century Code, adding language to clarify that the limitation on in-home child care benefits applies to both in-home providers and also to a child receiving in-home child care.

This concludes my testimony, and I am happy to answer any questions you may have.

PROPOSED AMENDMENTS TO SENATE BILL NO. 2084

Page 3, line 19, after "children" insert "under the age of twelve"  
Renumber accordingly

**Testimony**  
**Senate Bill No. 2084**  
**House Human Services Committee**  
**Representative Robin Weisz, Chairman**  
March 6, 2023

Chairman Weisz and members of the House Human Services Committee, I am Michele Gee, Director of the Economic Assistance Section for the Department of Health and Human Services (Department). I am here today to provide testimony on Engrossed Senate Bill 2084 which was introduced on behalf of the Department.

Senate Bill 2084 proposes changes to North Dakota Century Code chapters 50-06 and 50-33 relating to child care assistance payments to providers.

**Section 1.** The proposed change in Section 1 of this Bill amends section 50-06-06.11 of North Dakota Century Code to remove the phrase “at the election of the early childhood facility”. This change would mean that all Child Care Assistance Program (CCAP) payments will be made directly to early childhood services providers, rather than the current practice which is that providers can elect payments be issued directly to families.

To help assure timely child care assistance program payments to early childhood services providers, the Department transitioned from a retrospective to a prospective payment model in November 2022. This change allows the Department to pay for child care at the beginning of the month, based on a child’s enrollment in a child care program. Prior to this change, payment was made in the month after care was provided based on attendance records that early childhood services providers were required to submit to Human Service Zones via paper billing forms or electronically through the online provider portal. Once received Human



Service Zone eligibility workers used the billing forms to calculate and authorize a reimbursement payment for child care that provided in the prior month.

To make the transition to prospective payment possible, the Department updated its provider portal, which is part of the Self-Service Portal and Combined Eligibility System (SPACES), to allow providers to log in via a computer or mobile device and securely certify a child's enrollment in their program. Once certified, for every child who is eligible, a payment is automatically generated as a direct deposit into the provider's designated account on the 1<sup>st</sup> of the month. If providers are not able to certify enrollment prior to the 25<sup>th</sup> of the month, payment will be automatically generated to the provider's designated account within 3-5 business days of certification. Under current law, if a provider elects the payment be made to the family, the Department sends a payment file to the State Treasurer's Office so a paper check can be mailed to the family.

Since changing to the prospective payment process, approximately 2,500-2600 of the 2,700 payments issued by the Department for child care assistance each month are made direct deposit to providers. Removing the election will reduce the burden on families who are eligible for child care assistance while still allowing providers to receive timely payments and streamlining the administration of the child care assistance program payment process.

**Section 2.** The proposed changes in Section 2 of this Bill amend section 50-33-01 of North Dakota Century Code to align the definition of "Human Service Zone" with subsection 50-35-01 of chapter 50-35, "State-Funded Human Services" and adds the definition of "in-home provider", aligned with the definition in subsection 50-11.1-02 of chapter 50-11.1, Early Childhood Services.

**Section 3.** The proposed change in Section 3 of this Bill amends section 50-33-06 of North Dakota Century Code to allow an approved relative to provide care for no more than five children through the age of twelve or three children under the age of two, including the provider's children under the age of twelve.

**Section 4.** The proposed changes in Section 4 of this Bill amends section 50-33-08 of North Dakota Century Code, adding language to clarify that the limitation on in-home child care benefits applies to both in-home providers and also to a child receiving in-home child care.

This concludes my testimony, and I am happy to answer any questions you may have.