

During the North Dakota Legislative Session, CHAD monitors bills that may be of interest to CHCs and provides weekly reports each Friday. If you are aware of any issues CHAD should know about or if you have any questions, contact:

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## Week 11

Earlier this week, appropriations committees adopted the March 9 revenue forecast for the 2017-2019 biennium, which reduced general fund revenue from the January legislative forecast by \$103.2 million. However, they reduced the revised revenue forecast for the current biennium another \$10 million, estimating the state will be short general fund revenue of \$56.3 million through June.

Next week, policy committees will be focused on taking action on policy bills that include funding as these bills need to be rereferred to appropriations by March 23. It is also possible conference committees may start next week. Those bills amended by one chamber but not receiving concurrence by the other are assigned to conference committees, which consist of three senators and three representatives.

Legislative leadership is still working toward an early finish, possibly mid-April. As of today, May 1 is the 80th and final day of session.

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## Recap: Week of March 13-17

Below is a summary of some of the bills CHAD is monitoring that had hearings or votes this past week.

### [HB 1012](#) – DHS appropriation, including Medicaid Expansion

The Department of Human Services (DHS) appropriation was heard before the Senate Appropriations Committee March 13-15. DHS provided a high-level overview of each division and public testimony was heard. On March 14, Maggie Anderson presented the testimony for [Medical Services](#). CHAD testified in support of reauthorization of Medicaid Expansion, along with many other coalition members, including AARP, ND Hospital Association and ND Medical Association. There were few questions from legislators, other than for Craig Lambrecht of Sanford Bismarck, who asked for Medicaid Expansion reimbursement to return to commercial rates.

Behavioral health was discussed March 15, and several providers asked for reinstatement of the full appropriation for the substance abuse voucher program. The subcommittee, in an unusual move, was expanded to four members instead of three: Sen. Kilzer, chair; Sen. Erbele; Sen. Dever and Sen. Mathern. The subcommittee will likely begin meeting next week to discuss the details of the appropriation.

## WORKFORCE

### [HB 1035](#) – Dental loan repayment program

This bill, which removes the repayment penalty from the dental loan repayment program, passed the Senate 46-0 on March 10.

### [SB 2198](#) – Medical imaging and radiation therapy

This bill, which mandates specifies CEUs for different imaging modalities but does not require a separate license or certification, passed the House 90-0 on March 10 and the emergency clause carried.

**[SB 2216](#) – Contact by bodily fluid**

This bill provides penalties for intentional contact by bodily fluids or excrement in health care sites. It received a 14-1 do pass recommendation from the House Judiciary Committee as amended and is on the floor for final passage.

**OTHER**

**[SB 2117](#) – Criminal history record checks for Medicaid services applicants, providers and staff**

This bill, introduced at the request of DHS because of a federal requirement, clarifies when DHS can call for criminal history record checks for Medicaid services applicants, providers and staff members. DHS testified certain entities are classified by the federal government as "high risk" and are required to submit to a criminal history check. It passed the House 69-23 on March 14 and the emergency clause carried.

**[SB 2052](#) – Insurance coverage of telehealth**

This bill, which mandates insurance coverage for telehealth, passed the House 88-4 as amended on March 14 and was returned to the Senate for concurrence. If the Senate does not concur with the House amendments, the bill goes to conference committee.

**[HB 1120](#) – Medicaid prior authorization**

This bill broadens the ability for Medicaid to utilize prior authorization for prescriptions. It passed the Senate as amended by a 34-11 vote March 13 and was returned to the House for concurrence. If the House does not concur with the Senate amendments, the bill goes to conference committee.

**[HB 1210](#) – Cardiac ready community grant program**

This bill provides for the Department of Health to establish a cardiac ready community grant program. It passed the Senate as amended by a 45-0 vote March 13 and was returned to the House for concurrence. If the House does not concur with the Senate amendments, the bill goes to conference committee.

**[HB 1289](#) – Medical Board disciplinary action**



This bill relates to grounds for disciplinary action by the ND Medical Board. It passed the Senate 46-0 on March 16.


**[HB 1308](#) – Mandatory addiction screening for TANF participants**

This bill, which required individuals in the Temporary Assistance for Needy Families (TANF) program participating in an employment plan to undergo mandatory addiction screening with an effective date of April 1, 2018, was defeated on the Senate floor 21-25 on March 16.

**Hearing Schedule: March 20-24**

This is next week’s hearing schedule for bills CHAD is monitoring this session. If you have comments on bills being heard by committee or if you plan to testify, please let [Shelly](#) or [Dana know as soon as possible](#).

03/20/2017 11:00 AM 	<a href="#">HB 1015</a>	Relating to state agency publication fees; to provide an exemption; to provide statements of legislative intent; and to provide for a budget section report.	Senate Appropriations	Harvest	Monitor
03/20/2017 02:00 PM 	<a href="#">HB 1015</a>	Relating to state agency publication fees; to provide an exemption; to provide statements of legislative intent; and to provide for a budget section report.	Senate Appropriations	Harvest	Monitor

03/21/2017 09:30 AM 	SB 2344	Relating to implementation of the North Dakota Compassionate Care Act to authorize medical marijuana; to amend and reenact sections 19-24-01, 19-24-02, 19-24-03, 19-24-04, 19-24-05, 19-24-06, 19-24-07, 19-24-08, 19-24-09, 19-24-10, 19-24-11, 19-24-12, and 19-24-13 of the North Dakota Century Code, relating to implementation of the North Dakota Compassionate Care Act to authorize medical marijuana; to provide a report to the legislative management; to provide a penalty; to provide a continuing appropriation; and to declare an emergency.	House Human Services	Fort Union	Monitor
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## How to Contact Your Legislators

During the session, legislators can be reached at the Capitol by leaving a message with the legislative telephone message center at 888-NDLEGIS (635-3447). A legislator can also be reached by email, phone or mail as listed in the legislator's online bio: [Senate](#) or [House](#). Detailed information on legislative activities is available on the [Legislative Assembly website](#).

## 2017 Legislative Deadlines

March 23	Deadline for rereferral of bills to appropriations
April 6	Bills must be reported out of committee
May 1	Final day of session (limited to 80 days)

## Community HealthCare Association of the Dakotas (CHAD)

### Status of CHAD Bills as of March 17, 2017

All bills defeated before Crossover have been removed.

Bill No.	Bill Description	Bill Status	CHAD Position
<a href="#">HB 1012</a>	DHS appropriation bill. Relating to Medicaid expansion; to repeal section 50-24.1-37 of the North Dakota Century Code, relating to the Medicaid expansion program; to provide for exemptions; to provide statements of legislative intent; to provide a report to the legislative management; to provide for a legislative management study; to provide appropriations; to provide an expiration date; to provide a contingent effective date; and to declare an emergency.	House: PASSED Senate: INTRODUCED 03/15 S Committee Hearing - 08:30 AM 03/15 S Committee Hearing - 02:00 PM	Support
<a href="#">HB 1015</a>	OMB Appropriation bill. Typically, this is the bill legislative leaders use in the final conference committee that is resolved at the end of the session. It is often the so-called "Christmas Tree" bill that any issue can and is attached at the end of the session.	House: PASSED Senate: INTRODUCED 03/20 S Committee Hearing - 11:00 AM 03/20 S Committee Hearing - 02:00 PM	Monitor
<a href="#">HB 1035</a>	Removes penalty from dentist loan repayment program	House: PASSED Senate: PASSED 03/14 S Signed by President 03/15 H Signed by Speaker	Support
<a href="#">HB 1040</a>	Relating to an evidence-based alcohol and drug education program; to amend and reenact subsection 3 of section 5-01-08 of the North Dakota	House: PASSED Senate: INTRODUCED	Support

Bill No.	Bill Description	Bill Status	CHAD Position
	Century Code, relating to a penalty for individuals under twenty-one years of age using alcoholic beverages or entering licensed premises; to provide for a report; and to provide an appropriation to the department of human services. Provides Behavioral Health funding.	02/22 S Introduced, first reading, referred Human Services Committee 03/07 S Committee Hearing - 10:00 AM	
<a href="#">HB 1041</a>	Corrections bill; authorizes additional mental health professionals to provide addiction counseling. Relating to presumptive probation; to amend and reenact sections 12-44.1-32, 12-54.1-01, 12-59-08, 12.1-17-13, and 12.1-23-05, subsection 2 of section 12.1-32-02, subsections 3 and 6 of section 12.1-32-07, section 19-03.1-22.3, subsection 1 of section 19-03.1-22.5, subsections 5 and 7 of section 19-03.1-23, subdivision a of subsection 1 of section 19-03.1-23.1, section 19-03.4-03, subdivision f of subsection 5 of section 39-08-01, section 43-45-06, subsection 17 of section 50-06-05.1, and section 50-09-29 of the North Dakota Century Code, relating to sentence reduction credit, medical paroles, domestic violence offender treatment, grading of theft offenses, credit for time spent in custody, terms and conditions of probation, controlled substances and controlled substance paraphernalia, addiction counseling services, and the supplemental nutrition assistance program; to provide a penalty; to provide for the creation of a pretrial services program pilot project within the department of corrections and rehabilitation; to provide a report to the legislative management; and to provide for a report to the legislative assembly.	House: PASSED Senate: INTRODUCED 02/22 S Introduced, first reading, referred Judiciary Committee 03/15 S Committee Hearing - 09:00 AM	Support
<a href="#">HB 1086</a>	Current law requires that if a workers' comp (WSI) patient is discontinued medical benefits by WSI, the physician is notified. Part of this bill eliminates that notification requirement. Relating to notice to treating doctor, social security offset, criminal offense for filing of false claim, and vocational rehabilitation pilot program reports; to provide a penalty; and to provide for application.	House: PASSED Senate: PASSED Governor: SIGNED 03/03 H Signed by Governor 03/02 03/06 Filed with Secretary Of State 03/03	Monitor
<a href="#">HB 1096</a>	Relating to the advanced practice registered nurse licensure compact.	House: INTRODUCED Senate: PASSED 03/02 S Second reading, passed as amended, yeas 47 nays 0 03/03 H Returned to House (12)	Support
<a href="#">HB 1097</a>	Relating to the nurse licensure compact.	House: INTRODUCED Senate: PASSED 03/03 S Second reading, passed as amended, yeas 46 nays 0 03/06 H Returned to House (12)	Support
<a href="#">HB 1116</a>	Relating to the structure of the department of human services and changes in terminology.	House: INTRODUCED Senate: PASSED 03/03 S Second reading, passed as amended, yeas 46 nays 0 03/06 H Returned to House (12)	Monitor
<a href="#">HB 1117</a>	Relating to changes in terminology with respect to substance abuse and behavioral health.	House: PASSED Senate: PASSED Governor: SIGNED 03/03 H Signed by Governor 03/02 03/06 Filed with Secretary Of State 03/03	Monitor

Bill No.	Bill Description	Bill Status	CHAD Position
<a href="#">HB 1120</a>	Relating to the prior authorization prescription program for Medicaid. Broadens the ability for Medicaid to utilize prior authorization.	House: INTRODUCED Senate: PASSED 03/13 S Second reading, passed as amended, yeas 34 nays 11 03/14 H Returned to House (12)	Monitor
<a href="#">HB 1136</a>	Establishes in the Century Code the substance use disorder treatment voucher system and makes several technical corrections; to amend and reenact subsections 4 and 5 of section 50-01.2-03, subsection 1 of section 50-06-01.4, sections 50-06-05.1 and 50-06-05.2, subsection 1 of section 50-06-05.3, sections 50-06-05.5 and 50-06-06.6, subsection 1 of section 50-06-20, sections 50-06-23, 50-06-24, and 50-06-29, and subsection 1 of section 50-06-34 of the North Dakota Century Code, relating to departmental updates for statutory consistency, technical corrections, powers and duties of the department, department structure, program activities, regional human service centers, leases, and aging and disability resource center funding; and to repeal sections 50-06-01.5, 50-06-36, 50-06-39, and 50-08.1-01 of the North Dakota Century Code, relating to office and office equipment, developmental disability provider review, expedited rate setting process, and coordinating services for pregnant women; and to declare an emergency.	House: PASSED Senate: PASSED Governor: SIGNED 03/10 H Signed by Governor 03/09 03/13 Filed with Secretary Of State 03/09	Monitor
<a href="#">HB 1210</a>	Relating to a cardiac ready community grant program; and to provide a continuing appropriation.	House: INTRODUCED Senate: PASSED 03/13 S Second reading, passed as amended, yeas 45 nays 0 03/14 H Returned to House (12)	Monitor
<a href="#">HB 1226</a>	Creation of a Medicaid fraud control unit in the attorney general's office.	House: PASSED Senate: PASSED 03/13 H Signed by Speaker 03/13 H Sent to Governor	Monitor
<a href="#">HB 1289</a>	Relating to grounds for disciplinary action by the medical board.	House: PASSED Senate: PASSED 03/15 S Reported back, do pass, place on calendar 7 0 0 03/16 S Second reading, passed, yeas 46 nays 0	Monitor
<a href="#">HB 1308</a>	Relating to mandatory addiction screening for temporary assistance for the needy families program individual employment plan participants; and to provide an effective date. mandatory addiction screening for TANF program individual employment plan participants	House: PASSED Senate: DEFEATED 03/15 S Reported back, do pass, place on calendar 4 3 0 03/16 S Second reading, failed to pass, yeas 21 nays 25	Monitor
<a href="#">HB 1365</a>	Relating to powers and duties of a guardian regarding medical decisions; and to declare an emergency.	House: PASSED Senate: INTRODUCED 02/20 S Introduced, first reading, (emergency), referred Human Services Committee 03/15 S Committee Hearing - 09:00 AM	Monitor
<a href="#">SB 2004</a>	A BILL for an Act to provide an appropriation for defraying the expenses of the state department of health.	Senate: PASSED House: INTRODUCED 03/15 H Committee Hearing - 02:00 PM	Monitor

Bill No.	Bill Description	Bill Status	CHAD Position
		03/17 H Committee Hearing - 09:15 AM	
<a href="#">SB 2033</a>	This bill permits other behavioral health professionals to provide supervisory experience for other behavior health professionals not in the exact field in order to allow easier access in cases where reciprocity does not meet state requirements. It is felt that this will make more behavioral health professionals able to practice in ND. Relating to licensure requirements for behavioral health professionals; and to provide for a report to the legislative management.	Senate: PASSED House: INTRODUCED 02/20 H Introduced, first reading, referred Human Services Committee 03/06 H Committee Hearing - 09:00 AM	Support
<a href="#">SB 2034</a>	A BILL for an Act to create and enact chapter 43-12.4 of the North Dakota Century Code, providing for a nursing faculty student loan repayment program.	Senate: PASSED House: INTRODUCED 02/09 H Introduced, first reading, referred Human Services Committee 03/14 H Committee Hearing - 09:30 AM	Support
<a href="#">SB 2038</a>	This bill does several things related to children's behavioral health. Among those items include establishing a "task force on children's behavioral health", providing training for educators and early childhood service providers, and provides for a report on children's behavioral health services to the Governor and the Legislative Management Committee.	Senate: PASSED House: INTRODUCED 02/20 H Introduced, first reading, referred Human Services Committee 03/06 H Committee Hearing - 09:15 AM	Support
<a href="#">SB 2039</a>	Department of Human Services restructuring. Relating to the placement of children in the least restrictive environment; to amend and reenact subsection 5 of section 14-09-08.4, subsections 4 and 5 of section 50-01.2-03, sections 50-06-01, 50-06-01.4, 50-06-05.1, 50-06-05.2, 50-06-05.3, 50-06-05.4, 50-06-06.2, and 50-06-06.5, and subsection 1 of section 50-06-20 of the North Dakota Century Code, relating to the structure and duties of the department of human services with respect to behavioral health; to repeal chapter 25-10 and sections 25-02-02, 50-06-01.2, and 50-06-23 of the North Dakota Century Code, relating to mental health services, the additional location for a hospital for the mentally ill, and the assumption of duties by the department of human services; to provide for transition; and to provide an effective date.	Senate: PASSED House: INTRODUCED 02/09 H Introduced, first reading, referred Human Services Committee 02/13 H Committee Hearing - 03:30 PM	Monitor
<a href="#">SB 2042</a>	This bill establishes 4 Tiers (levels) of mental health professionals in ND and makes designation for parts of state law allowing each Tier to perform different specified activities. Relating to references to mental health professionals.	Senate: PASSED House: INTRODUCED 02/09 H Introduced, first reading, referred Human Services Committee 02/13 H Committee Hearing - 03:15 PM	Support
<a href="#">SB 2052</a>	This bill was a health insurance mandate on NDPERS health plan for a two-year period. As part of the state health insurance mandate law, a new bill is to be introduced after the two-year period to apply the new mandate on all insurers. This mandate will require all insurers to reimburse for specified telehealth services. Most insurers currently provide reimbursement for these services anyway.	Senate: INTRODUCED House: PASSED 03/14 H Second reading, passed as amended, yeas 88 nays 4 03/15 S Returned to Senate (12)	Monitor
<a href="#">SB 2088</a>	Relating to licensed clinical addiction counselors; and to expand the scope of practice of licensed clinical addiction counselors to include gambling addiction. Their training includes this type of addiction as well.	Senate: PASSED House: INTRODUCED 02/20 H Introduced, first reading, referred Human Services Committee 03/08 H Committee Hearing - 09:00 AM	Monitor

Bill No.	Bill Description	Bill Status	CHAD Position
<a href="#">SB 2117</a>	Relating to criminal history record checks for Medicaid services applicants, providers, and staff members; to amend and reenact section 50-06-01.9 of the North Dakota Century Code, relating to criminal history record checks for job applicants, department staff, county employees, contractors, and Medicaid services applicants, providers, and staff members; to provide an effective date; and to declare an emergency.	Senate: INTRODUCED House: PASSED 03/14 H Emergency clause carried 03/15 S Returned to Senate (12)	Monitor
<a href="#">SB 2141</a>	Relating to regulation by the state board of psychologist examiners; and to repeal sections 43-32-33 and 43-32-34 of the North Dakota Century Code, relating to applied behavior analysis.	Senate: PASSED House: INTRODUCED 02/23 H Rereferred to Human Services 03/06 H Committee Hearing - 09:30 AM	Monitor
<a href="#">SB 2162</a>	<b>This bill places a new requirement that mandates students receiving a special state financial in-state tuition benefit while attending an out-of-state school of dentistry or optometry must commit to practice in ND for at least 3 years. In addition, dental students who take advantage of the loan repayment program must accept Medicaid patients or provide dental services in a public health clinic, a practice with a focus on an underserved population, or a nonprofit dental clinic.</b>	Senate: PASSED House: INTRODUCED 02/20 H Introduced, first reading, referred Human Services Committee 03/14 H Committee Hearing - 10:00 AM	Support
<a href="#">SB 2198</a>	This is the bill that was a battle between the Imaging Board and a few critical access hospitals. Both groups came to a compromise that mandates specified CEUs for the different imaging modalities, but does not require a separate license or certification.	Senate: PASSED House: PASSED 03/13 S Signed by President 03/14 S Sent to Governor	Monitor
<a href="#">SB 2202</a>	Relating to clinical laboratory practice exemptions and board membership.	Senate: PASSED House: INTRODUCED 03/14 H Committee Hearing - 09:00 AM 03/15 H Committee Hearing - 09:00 AM	Monitor
<a href="#">SB 2216</a>	Relating to penalties for intentional contact by bodily fluids or excrement in health care sites; and to provide a penalty.	Senate: PASSED House: INTRODUCED 03/14 H Reported back amended, do pass, amendment placed on calendar 14 1 0 03/15 H Amendment adopted, placed on calendar	Monitor
<a href="#">SB 2235</a>	Establishes a mechanism to join an interstate medical licensure compact.	Senate: PASSED House: INTRODUCED 02/20 H Introduced, first reading, referred Industry, Business and Labor Committee 03/14 H Committee Hearing - 09:00 AM	Support
<a href="#">SB 2328</a>	Relating to sale of tobacco to minors and licensure of persons in the business of selling tobacco products; and to provide a penalty.	Senate: PASSED House: INTRODUCED 02/20 H Introduced, first reading, referred Judiciary Committee 03/15 H Committee Hearing - 10:40 AM	Support
<a href="#">SB 2344</a>	Relating to a proposed bill to address missing components of a medical marijuana initiated measure that was passed by the public in November, 2016. The bill and the initiated measure calls for physicians to verify that a	Senate: PASSED House: INTRODUCED 03/01 H Introduced, first reading,	Monitor

Bill No.	Bill Description	Bill Status	CHAD Position
	<p>patient has one of the designated medical conditions within the act and could benefit from medical marijuana. Since it is still an illegal drug based on federal law, physicians can NOT prescribe medical marijuana. Since CHC physicians may be asked by one of their patients to attest that their patient does indeed have one of the designated medical conditions, it is recommended that this bill be monitored.</p>	<p>(emergency), referred Human Services Committee 03/21 H Committee Hearing - 09:30 AM</p>	
<p><a href="#">SCR 4001</a></p>	<p>A concurrent resolution authorizing the Budget Section of the Legislative Management to hold the required legislative hearings on state plans for the receipt and expenditure of new or revised block grants passed by Congress.</p>	<p>Senate: PASSED House: INTRODUCED 02/02 H Received from Senate 03/01 H Introduced, first reading, referred Appropriations Committee</p>	<p>Monitor</p>