

**Sixty-sixth Legislative Assembly of North Dakota  
In Regular Session Commencing Thursday, January 3, 2019**

HOUSE BILL NO. 1105  
(Human Services Committee)  
(At the request of the Department of Human Services)

AN ACT to amend and reenact sections 50-06-06.13 and 50-06-42 of the North Dakota Century Code, relating to treatment services for children with serious emotional disorders and the substance use disorder treatment voucher system.

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

**SECTION 1. AMENDMENT.** Section 50-06-06.13 of the North Dakota Century Code is amended and reenacted as follows:

**50-06-06.13. Treatment services for children with serious emotional disorders.**

1. The department shall establish ~~in all human service regions~~ a program to provide out-of-home treatment services for a Medicaid-eligible child with a serious emotional disorder. The department may not require a parent or legal guardian to transfer legal custody of the child in order to have the child placed in an out-of-home treatment program ~~when~~ if the sole reason for the placement is the need to obtain services for the child's emotional or behavioral problems. With departmental approval, a parent with legal and physical custody of the child may obtain treatment services for the child through the program. A parent without physical custody of a child, who disagrees with a child's treatment under this section, may request a judicial determination regarding the child's treatment.
2. The department may establish a program to prevent out-of-home placement for a Medicaid-eligible child with a behavior health condition as defined in the "Diagnostic and Statistical Manual of Mental Disorders", American psychiatric association, fifth edition, text revision (2013).

**SECTION 2. AMENDMENT.** Section 50-06-42 of the North Dakota Century Code is amended and reenacted as follows:

**50-06-42. Substance use disorder treatment voucher system.**

The department shall establish and administer, within the limits of legislative appropriations, a voucher system to address underserved areas and gaps in the state's substance abuse treatment system and to assist in the payment of addiction treatment services provided by ~~private~~ licensed substance abuse treatment programs, excluding regional human service centers, and hospital- or medical clinic-based programs for medical management of withdrawal. Services eligible for the voucher program include only those levels of care recognized by the American society of addiction medicine, with particular emphasis given to underserved areas and programs. The department shall ensure that a ~~private~~ licensed substance abuse treatment program, ~~hospital~~ hospital, and medical clinic ~~programs~~ program accepting vouchers collects and reports process and outcome measures. The department shall develop requirements and provide training and technical assistance to a ~~private~~ licensed substance abuse treatment program, ~~hospital~~ hospital, and medical clinic ~~programs~~ program accepting vouchers. A ~~private~~ licensed substance abuse treatment program, hospital, and medical clinic program accepting vouchers shall provide evidence-based services.

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Speaker of the House

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President of the Senate

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Chief Clerk of the House

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Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-sixth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1105.

House Vote:    Yeas 87            Nays 1            Absent 6

Senate Vote:    Yeas 45            Nays 0            Absent 2

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Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2019.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2019.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2019,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State