

**Testimony**  
**House Bill 1095 – Department of Human Services**  
**House Human Services Committee**  
**Representative Robin Weisz**  
**January 5, 2011**

Chairman Weisz, members of the House Human Services Committee, my name is Dean Sturn, and I am the Foster Care Administrator for the Department of Human Services, Children and Family Services Division. I am here today to provide you an overview and explanation relating to the approval process of group foster care facilities as provided in House Bill 1095. The Department supports passage of this bill.

In North Dakota, all facilities providing group foster care must either be “licensed” or “approved” by the Department of Human Services in order to qualify for reimbursement for services under Social Security Act, Title IV-E funding. A facility providing group foster care services in North Dakota is subject to the jurisdiction of the state of North Dakota, and can apply to be “licensed”.

However, North Dakota Century Code is not clear on the authority of DHS to grant “approval” status to facilities providing group foster care services owned by and located on recognized Indian reservations in North Dakota. North Dakota Century Code is clear on the granting of “approval” status of family foster homes located on recognized Indian reservations in North Dakota.

If passed, House Bill 1095 would allow a facility providing group foster care services owned by and located on a recognized Indian reservation in North Dakota, currently not subject to the jurisdiction of the state of North Dakota, to apply for “approval”.

House Bill 1095 will help to clarify this issue and impacts the use of public funds for the purchase of group foster care services in these settings. Passage of this bill and the accompanying authority will provide additional flexibility for culturally appropriate and proximate foster care placements for Native American youth.

This concludes my testimony. I would be happy to answer any questions.