

Testimony
House Bill 1108 – Department of Human Services
House Human Services Committee
Representative Robin Weisz, Chairman
January 7, 2015

Chairman Weisz, and members of the House Human Services Committee, I am Tina Bay, Director of the Developmental Disabilities Division of the Department of Human Services (Department). I am here today in support of House Bill 1108, which was introduced at the request of the Department.

This bill proposes to amend language in the North Dakota Century Code (N.D.C.C.) to reflect appropriate people-first language. It also proposes to amend section 25-16-03, relating to requirements for licensing treatment or care centers for individuals with disabilities.

Sensitivity for individuals with disabilities begins with people-first language. Generally, in choosing words about individuals with disabilities, the guiding principle is to refer to the individual first, not the disability. Instead of saying “the disabled,” it is preferable to say “individuals with disabilities.” Changes proposed in this bill support this principle.

The Department also proposes changing the word “person” to “individual” in multiple sections. N.D.C.C. section 1-01-49 defines “individual” as a human being and “person” as an individual, organization, government, political subdivision, or government agency, or instrumentality. To be consistent with section 1-01-49, where the context for the term meant “a human being,” this bill proposes to substitute the word “individual.”

Subsection 3 of N.D.C.C. section 25-16-03 requires the Department to issue a license for the operation of a treatment or care center for individuals with developmental disabilities upon showing that the health, morality, safety, and well-being of the residents cared for and treated in the center will be properly safeguarded. On page 12, line 5, the Department is requesting removal of the word "morality" because "properly safeguarding" morality is not an appropriate function of licensing. Morality is an individual choice; not the responsibility of a facility that may affect whether a license is issued.

This concludes my testimony. I would be happy to answer any questions the committee may have. Thank you.