

**Testimony**  
**Engrossed House Bill 1136 - Department of Human Services**  
**Senate Human Services Committee**  
**Senator Judy Lee, Chairman**  
**February 21, 2017**

Chairman Lee, and members of the Senate Human Services Committee, I am Jonathan Alm, an attorney with the Department of Human Services (Department). I appear before you to support Engrossed House Bill 1136, which was introduced on behalf of the Department.

The Department recognizes the Interim Human Services Committee has introduced Senate Bill 2039 that also proposes changes to chapter 50-06. However, this bill is a comprehensive review of the entire chapter and was initiated by the Department after the 2015 legislative session before the Department knew the direction of the Interim Human Services Committee's work.

The proposed changes in Sections 1 and 2 of the Bill update citations; amend the language used for the home energy assistance program, early childhood programs, adult foster care homes, and medical assistance. Changes in these sections also remove the matching fund program for city or county tax levies for senior citizen activities and services from the list of programs administered by the Department through its Aging Services Division as this program is administered by the Treasurer's office; and add children's health insurance program, medicaid waivers, and autism services to the Department's administration of medical service programs.

The proposed changes in Section 3 of the Bill replace "social legislation" with "human services related legislation" and remove "to inform the

public as to social conditions and ways of meeting social needs” to reflect the duties of the Department; update language used for early childhood programs; remove language regarding reports to be kept confidential for the use of the judge as confidentiality of court records are addressed in various court rules; adds residential child care facility to the definition of “transitional living facility”; and remove obsolete language regarding the Department’s duty to coordinate services for pregnant women. The Department provides various programs and services for pregnant women: medicaid coverage which includes all medicaid-funded services as well as targeted case management for high-risk pregnant women and tobacco cessation counseling; substance use counseling or mental health services; and third trimester TANF assistance. However, the Department does not coordinate services for pregnant women. Related to this proposed removal of “to coordinate services for pregnant women” is the proposed repeal of section 50-08.1-01 in Section 14 of this Bill. Based on the information received from the Department of Health, section 50-08.1-01 is largely duplicative with section 14-02.1-02.1 as those duties are being performed by the Department of Health.

The proposed changes in Section 4 of the Bill remove language regarding reimbursement for county social service board co-locating its offices with a regional human service center because this language is no longer needed.

The proposed changes in Section 5 of the Bill remove (1) “including health, mental health, education, manpower, social, food and nutrition, and housing service” as those services are either not performed by the human service center or could be included in the general definition of

“human service” and (2) the statutory reference to the location of the human service centers as it is already addressed in section 50-06-05.2.

The proposed changes in Section 6 of the Bill establish that the regional director and medical director of the regional center are two separate personnel and updates the “qualified medical professional” definition.

The proposed changes in Section 7 of the Bill remove the exemption concerning child care services from the exemption of the lease at Life Skills and Transition Center (LSTC) resulting in a net economic gain for the Department and the need for consultation with the administrator of the state fire and tornado fund. All leases at the LSTC currently result in a net economic gain for the Department. The Department has also been notified that the administrator of the state fire and tornado fund has no need to consult the Department on lease renewals.

The proposed change in Section 8 of the Bill simply updates a citation.

The proposed changes in Section 9 of the Bill remove the requirement for the Department to issue a request for proposal before January 1, 2006, as the Department has satisfied this requirement and the time has passed.

The proposed changes in Sections 10 and 12 of the Bill simply update language by replacing “developmental disabilities case management” with “developmental disabilities program management”.

The proposed changes in Section 11 of the Bill update and clarify language regarding the Department operating an aging and disability

resource center (ADRC). The Department applied for federal funds prior to December 31, 2007, received funding, and carried out the directives. During the 2009 legislative session House Bill 1476, which would have provided funding to continue development of the aging and disability resource center, failed to pass. Currently, the Department operates an ARDC and Older Americans Act funds are used to provide ADRC services.

The proposed changes in Section 13 of the Bill are to codify the substance use disorder treatment voucher system to address underserved areas and gaps in the State's substance use disorder treatment system. Section 4 of 2015 Senate Bill 2048 required the Department to establish and administer a voucher system, however it was not codified. The proposed changes include medical clinics and hospitals as substance use disorder treatment voucher providers to allow for medical detoxification or withdrawal management which is only provided in medical facilities. This change will address an important need in the substance use disorder treatment system by improving access to services for those seeking recovery from a substance use disorder.

The proposed changes in Section 14 of the Bill repeal four sections as the sections are either outdated and no longer applicable, redundant, or being performed by another agency. The four repealed sections are: section 50-06-01.5, suitable office and office equipment; 50-06-36, developmental disability provider review; 50-06-39, expedited ratesetting process – nursing and basic care facilities; and 50-08.1-01, coordination of services for pregnant women.

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