

Testimony
Senate Bill 2133 – Department of Human Services
Senate Human Services Committee
Senator Judy Lee, Chairman
January 10, 2007

Chairman Lee, members of the Human Services Committee, I am Karen Tescher, Assistant Director of Long Term Care Services, of the Department of Human Services. I am here to provide testimony in support of this bill.

The Department requested the changes identified in this bill as “clean up” to language from 2005 House Bill number 1148. Based on the direction from the 2005 Legislative Assembly, over the 2005-2007 interim, the Department has worked with and submitted to the Centers for Medicare and Medicaid Services (CMS) a plan for providing home and community-based services to individuals who are ventilator-dependent. The Department expects to implement this service in the next several months. The services to be offered include attendant care and nurse management.

In Section 1, Line 10 of this bill, the Department is requesting the words “attendant care program” be used to replace “personal care”. CMS will not allow for supervision to be paid under personal care, while it is allowed under attendant care.

The definition of Health Management Services in this bill includes the services provided by “attendants” such as bathing, dressing, feeding, etc. as well as services supervised by nurse managers, such as catheter irrigation and medication administration. The Nurse Managers would be

responsible for assisting the recipient in training the attendants to perform medical services, without direct, on-site supervision.

The Department has worked closely with the North Dakota Board of Nursing during the 2005-2007 interim, and they do not anticipate any Nurse Practices Act conflicts with the proposals in this bill.

The Department expects no fiscal impact for this bill, as the Health Management services are already included in the 2007-2009 Executive Budget request. This is not an expansion of service, rather a request to ensure the language in state law is consistent with services to be approved by CMS.

I would be happy to answer any questions that you may have.