Testimony
Senate Bill 2079 – Department of Human Services
Senate Human Services Committee
Judy Lee, Chairman
January 12, 2015

Chairman Lee, members of the Senate Human Services Committee, I am
LeeAnn Thiel, Administrator of Medicaid Payment and Reimbursement
Services of the Medical Services Division for the Department of Human
Services. I am here today in support of Senate Bill 2079, which was
introduced at the request of the Department.

The moratoria on nursing facility beds and basic care beds have been in
place since 1995 and have been extended each biennium. This bill would
continue the moratorium through July 31, 2017.

2011 HB 1040, which extended the moratoria to July 31, 2013, also
directed the State Health Council to review the health care bed
recommendations. In 2012, the State Health Council presented a
recommendation to the Health Services Interim Committee to continue
the moratoria on nursing facility and basic care beds in North Dakota. The
recommendation was a nursing facility bed target of 55 beds per 1,000
and a basic care bed target of 15 beds per 1,000 population aged 65 and
above. Based on 2010 data, there were 57.10 nursing home beds per
1,000 and 16.49 basic care beds per 1,000. As of September 30, 2014,
there are 29 nursing facilities with occupancy below 90 percent.

Currently, state law allows two exceptions to the basic care bed
moratorium, which are: (1) a nursing facility may convert nursing facility
bed capacity to basic care beds; and (2) an entity can demonstrate the

need for more basic care beds to the Department of Health and the Department of Human Services. To demonstrate a need, the facility must show that occupancy within a 50-mile radius at existing basic care facilities is at or above 90 percent.

There is no exception to the nursing facility bed moratorium. A facility must purchase or transfer beds from another facility.

The Department's 2015-2017 budget was built based on both moratoria continuing.

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