

**Sixty-ninth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 7, 2025**

SENATE BILL NO. 2078
(Human Services Committee)
(At the request of the Department of Health and Human Services)

AN ACT to amend and reenact sections 25-01.1-07, 25-02-01.1, and 25-02-03 of the North Dakota Century Code, relating to the North Dakota state hospital.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 25-01.1-07 of the North Dakota Century Code is amended and reenacted as follows:

25-01.1-07. Rules or policies for procedure and administration of institutions.

The supervising department shall make all necessary rules or policies for its own procedure and for the general administration, supervision, and management of the institutions under its control and management.

SECTION 2. AMENDMENT. Section 25-02-01.1 of the North Dakota Century Code is amended and reenacted as follows:

25-02-01.1. Maintenance of state hospital accreditation - Governing body membership - ~~Rulemaking authority~~ Authority.

1. The department of health and human services shall seek appropriations and resources sufficient to ensure maintenance of the state hospital's accreditation by the joint commission and certification by the centers for Medicare and Medicaid services or by similar accrediting and certifying organizations and agencies possessing hospital standards recognized by the health care industry and accepted by the department.
2. The department, in consultation with the state hospital, shall create a state hospital governing body and shall by rules, policies, or bylaws describe the powers and duties of the governing body. The department shall compensate members not employed by the department in the amount of one hundred dollars per day and reimburse members for expenses incurred in attending meetings in the amounts provided by sections 44-08-04 and 54-06-09.
3. The governing body must be composed of the commissioner of the department of health and human services or designee; the director of the division of behavioral health of the department or designee, who shall serve as chairman of the governing body; the state hospital superintendent; the state hospital medical director; a representative of the department's fiscal administration division; a behavioral health consumer selected by the mental health association; and a legislator selected by the legislative management. The governing body may include other persons as appointed by the governing body.

SECTION 3. AMENDMENT. Section 25-02-03 of the North Dakota Century Code is amended and reenacted as follows:

25-02-03. Object of state hospital.

The state hospital is an institution for mental diseases serving specialized populations of individuals with severe mental illness, including individuals with a substance use disorder. The state hospital is one component of the North Dakota mental health delivery system and serves as a resource to community-based treatment programs. The state hospital shall, pursuant to rules or policies adopted by the department of health and human services, receive and care for all eligible individuals with severe

mental illness, including individuals with a substance use disorder, residing within this state in accordance with this title, and may furnish to those individuals all needed food, shelter, treatment, and support.

Michelle L. Strieder
President of the Senate

Rabi Lewis
Speaker of the House

Shanda Moya
Secretary of the Senate

Bruce J. Reich
Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-ninth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2078.

Senate Vote: Yeas 46 Nays 1 Absent 0

House Vote: Yeas 86 Nays 6 Absent 2

Shanda Moya
Secretary of the Senate

Received by the Governor at 3:27 P.M. on March 17, 2025.

Approved at 12:08 P.M. on March 18, 2025.

[Signature]
Governor

Filed in this office this 18th day of March, 2025,
at 2:58 o'clock P M.

Michael Howe
Secretary of State