

**Behavioral Health Planning Council
Legislative Committee**

**Friday, January 8, 2021
11:00 AM, CT**

Call to Order. Greg Gallagher, Facilitator, called the business meeting of the BHPC Legislative Committee to order at 11:05 AM, CT.

Members Present. Brenda Bergsrud; Teresa Larsen; Emma Quinn; Carlotta McCleary.

Facilitator. Greg Gallagher, The Consensus Council.

Legislative Committee Charge. Greg Gallagher provided background information regarding the December 16, 2020, Committee meeting which defined the work and priorities of the Committee and the December 29, 2020, Committee meeting which reviewed the state hospital building proposal. Members revisited the charge of the Legislative Committee, including (1) identifying prospective legislative initiatives aligned with the purpose of the BHPC; (2) monitoring legislative initiatives through the legislative process; (3) coordinating communications with BHPC members and facilitating effective BHPC input throughout the process; (4) soliciting the active participation of BHPC members; (5) drafting legislation that might advance the aims of the BHPC and the state's behavioral health strategic plan; and (6) empowering the BHPC Legislative Council, with full participation of the BHPC Executive Committee, to transact legislative activities that support the aims of the BHPC.

Mr. Gallagher encouraged the Committee to consider and approve the minutes from both the December 16, 2020, and December 29, 2020, Committee meetings to memorialize the adoption of certain responsibilities provided to the BHPC Legislative Committee. Specifically, members sought to validate and document the Committee's adopted language enabling the Committee to transact business and legislative initiatives on behalf of the full BHPC membership, outside full-membership action.

CARLOTTA MCCLEARY MADE AND EMMA QUINN SECONDED A MOTION TO APPROVE THE BHPC LEGISLATIVE COMMITTEE MINUTES FROM THE DECEMBER 16, 2020, MEETING. THE MOTION PASSED UNANIMOUSLY. CHAIRPERSON BERGSRUD ANNOUNCED THE PASSAGE OF THE MOTION.

EMMA QUINN MADE AND TERESA LARSEN SECONDED A MOTION TO APPROVE THE BHPC LEGISLATIVE COMMITTEE MINUTES FROM THE DECEMBER 29, 2020, MEETING. THE MOTION PASSED UNANIMOUSLY. CHAIRPERSON BERGSRUD ANNOUNCED THE PASSAGE OF THE MOTION.

Members referred to the approved motion from the December 29, 2020, Legislative Committee meeting expressing support for the proposal to build a new state library. Members recognized the authority of the Legislative Committee to draft testimony in support of the appropriation

within the DHS budget. Members reviewed the December 29, 2020, Committee meeting minutes outlining the principal research documents supporting the state hospital proposal:

- [New Treatment Campus, NDDHS](#);
- [ND Residential Treatment Facility Capacity Study, HSRI](#);
- [ND Hospital Study, HSRI](#).

These three documents provide a detailed summary of the state hospital proposal's origin, purpose, design, cost, and operational gains in efficiency.

Members also supported the rationale presented by Dr. Rosalie Etherington during the December 29, 2020, Committee meeting, including:

- A new state hospital will cost less than remodeling the current hospital's current campus complex of buildings.
- The state will reduce the number of dedicated hospital beds to approximately 75-85 beds, providing a proper balance of institutional- and community-based service options, spanning intensive rehabilitative hospital care through telehealth opportunities.
- A new state hospital will eliminate approximately 50 FTEs, reducing annual personnel costs by \$5 Million.
- The state will expand direct service capacity to the western half of the state, as allowed for under state law, by providing 6-10 beds through a contracted service agreement with a properly licensed provider in Dickinson.
- A new state hospital will complement the services gained through the new Medicaid 1915(i) service plan.
- The anticipated 40-year leasing agreement will provide stable, longer-term budgetary gains to the state.
- It is important to separate a new state hospital from any state correctional facility location.
- To properly administer best-practice care to patients, the current state hospital setting is antiquated and requires replacement with a newer, modern facility.

Brenda Bergsrud and Emma Quinn volunteered to assume responsibility to draft testimony, on behalf of the BHPC, in support of the state hospital proposal. Greg Gallagher extended an offer to assist in drafting the testimony, as needed. Legislative Committee members expressed their support for this course of action. It is not anticipated that the state hospital testimony will be scheduled for approximately another two weeks.

Teresa Larsen announced that the DHS budget review process will begin the week of January 11, 2021, including formal presentation sessions and periodic work sessions, spanning weeks. Ms. Larsen stated she will attend most DHS budget sessions and will report activity periodically to the Committee, as needed.

Mr. Gallagher observed that the BHPC may wish to review and consider possible action regarding anticipated funding changes for brain injury services, specifically services supported by the Brain Injury Network. Members expressed an interest in monitoring the DHS budget discussions concerning brain injuries, moving forward.

Carlotta McCleary and Teresa Larsen stated that at least two separate bills are expected to be submitted and considered regarding seclusion and restraint practices: HB 1089 and another yet-to-be-submitted bill related to school practices. Committee members expressed strong interest in supporting any seclusion and restraint bill consistent with the continuum of care principles established within previous, similar proposals.

TERESA LARSEN MADE AND EMMA QUINN SECONDED A MOTION FOR THE BEHAVIORAL HEALTH PLANNING COUNCIL TO DRAFT TESTIMONY IN SUPPORT OF HB 1089. THE MOTION PASSED UNANIMOUSLY. CHAIRPERSON BERGSRUD ANNOUNCED THE PASSAGE OF THE MOTION.

The Legislative Committee agreed to meet again on Friday, January 15, 2020, at 11:00 AM, CT, to begin its series of weekly legislative review meetings.

Adjournment. Having complete the stated aims of the meeting, Chairperson Bergsrud called the meeting adjourned.

The meeting adjourned at 12:02 PM, CT.

Respectfully submitted,

Greg Gallagher
Facilitator
Deputy Director, The Consensus Council

Video Conference Link for January 15, 2021, 11:00 AM, CT, BHPC Legislative Committee Meeting:

Consensus Council is inviting you to a scheduled Zoom meeting.

Topic: BHPC Legislative Committee Weekly Session

Time: Jan 15, 2021 11:00 AM Central Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/82015506103>

Meeting ID: 820 1550 6103

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