

Behavioral Health Planning Council Legislative Committee
Friday, March 24, 2023
12 to 1 p.m. CT

Legislative Committee Members in Attendance: Carlotta McCleary, and Andrea Hochhalter

Legislative Committee Members Absent: Lorraine Davis, Carl Young and Emma Quinn

Additional BHPC Members in Attendance: Mathew McCleary,

Call to Order: Chairperson McCleary called the meeting to order at 12:05 PM CT via video conference.

Quorum: No formal actions were taken at this meeting. A quorum was not declared.

Approval of Minutes There was no review and action taken regarding minutes of previous meetings due to no quorum present. This item will be carried over to a future meeting, with minutes from 2/10/2023, 2/17/2023, 2/24/2023, 3/3/2023, 3/10/2023, and 3/17/23 all needing review and approval.

Review of Legislative Calendar Activities

- Week just ended:
 - **SB 2149:** (988 Funding). Went through Taxation with a phone fee. There was opposition to because ND already has a high level of fees. There was support for 988 funding, but not the mechanism. As a result the bill was amended to be a general fund appropriation of \$2 million and was rerouted to the House Appropriations committee. The legislature is looking at pairing the dollar amount further, because they would just like to have 988 itself be funded, not additional services. Moving it into SB 2012.
 - **SB 2012** (NDDHHS Budget Bill). Were able to provide a lot of information about the IMD Exclusion Waiver and the available opportunity to use Medicaid Expansion reimbursement to IMD facilities without budget neutrality requirement imposed on Medicaid Expenditures.
 - **SB 2026 and SB 2012 (State Hospital discussion):** \$5 million for demolition. There is still an apparent sentiment shared for continuing to rebuild the State Hospital on existing ground (co-located with the prison), but debate about definition of “efficiency” comes up. Some see the efficiency of already owning the land to rebuild there. Others point out that the infrastructure is so old, and they have to strip out and replace the pipes, etc., so it becomes more efficient to build on a new site. BHPC likely has a lot of work to do on this issue during the interim legislative session. There are still questions about children/adolescent unit, with a preference by many advocates to keep children’s beds in the private sector. There have been questions about State Hospital needing a children/adolescent unit from people.

- **HB 1138 (Mental Health Court)**: was quickly scheduled for Wednesday. We missed the hearing, but it passed out of committee 5-1-1. Senator Larson is really grounded in these issues and helps committee members understand the issues.

Upcoming Week

- : Will continue to follow SB 2012 as it unfolds as well as others..

Consideration of Select Bills

- No further plans were made at this time.

Discussion about Future Legislative Advocacy Efforts of BHPC

- Chairperson McCleary shared the BHPC may need to keep in mind the need to have funding available for people to assist with what has been done this session (hosting the meetings, taking minutes, developing testimony). There has been a lot of impact from BHPC testimony this session, including IMD Exclusion Waiver and 988 funding. It was just coincidence as Chair, that her regular activity helped with getting BHPC legislative activity going. Someone else in these leadership roles in the future may not have the ability to devote the time and resources toward those efforts.

Public Comment: Chairperson Carlotta McCleary called for public comments. No public comments given.

Next Meeting-March 31, 2023, at 12:00 PM CT via videoconference

Adjournment: Having completed the agenda items and hearing no further comments from BHPC Legislative Committee members, Chairperson McCleary adjourned the meeting at 12:30 PM.

Respectfully submitted,
Carlotta McCleary, Chair BHPC