

**Behavioral Health Planning Council  
Legislative Committee**

**Friday, January 29, 2021  
11:00 AM, CT**

**Call to Order.** Greg Gallagher, Facilitator, called the business meeting of the BHPC Legislative Committee to order at 11:04 AM, CT.

**Members Present.** Brenda Bergsrud; Emma Quinn, Teresa Larsen.

**BHCP Member Attendees:** Lorraine Davis and Carl Young.

**Facilitator.** Greg Gallagher, The Consensus Council.

**Legislative Committee Charge.** Greg Gallagher provided background information regarding (a) the December 16, 2020, Committee meeting which defined the work and priorities of the Committee and (b) the December 29, 2020, and January 8, 2021, Committee meetings which reviewed select legislative issues, including the state hospital project. 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.

**Approval of Agenda.** Mr. Gallagher reviewed the meeting [Agenda](#). Members expressed satisfaction with the agenda and Mr. Gallagher recorded the committee's approval of the agenda.

**Approval of Minutes.** Mr. Gallagher reviewed the meeting minutes from the January 22, 2021, meeting of the BHPC Legislative Committee. Members expressed satisfaction with the January 22, 2021 meeting minutes. Mr. Gallagher recorded the committee's approval of the minutes.

**Review of Legislative Calendar, January 25-29, 2021**

**Review of Legislative Calendar, February 1-5, 2021**

**Review of Department of Human Services Executive Budget, HB 1012**

**Legislative Summary GRID.** Greg Gallagher presented the updated draft of the [Legislative Summary GRID](#) prepared by the Protection and Advocacy Project. Mr. Gallagher invited members to intersperse reports and comments on legislative matters transacted during the week, January 25-29, 2021, and anticipated legislative activity during the week, February 1-5, 2021. Members identified an interest to focus attention primarily on HB 1012, the DHS Executive Budget.

Teresa Larsen reported that she has provided Representative Jon Nelson copies of the legislative narratives compiled by the staff of the Protection and Advocacy Project. Rep. Nelson has asked Pam Sagness, DHS, to provide a thorough accounting of the anticipated impacts of implementing Medicaid 1915(i) on current state-funded programs. Ms. Larsen referred committee members to the Legislative Summary GRID, outlining the February 1-5, 2021, House Appropriation Division's activity, specifically the requested opportunity for the Division to meet with DHS Department Directors regarding specific budget initiatives.

HB 1012 – House Appropriations/HRD:

Monday – Feb. 1	9:00 Committee work 10:00 Committee work; DHS Q&A by Division
Tuesday – Feb. 2	2:45 Committee work; SUD voucher presentation; 1915(i) presentation
Wednesday – Feb. 3	8:30 Committee work; DD payment system; Free Through Recovery 2:45 Committee work; IMD information presentation; housing
Thursday – Feb. 4	8:30 Committee work; Bill/amendments review and approval 2:45 Committee work; Bill/amendments review and approval
Friday – Feb. 5 1	0:30 Committee work; Bill/amendments review and approval

Members expressed concerns that the DHS is evidencing a strategy of replacing state-funded programs with federal-funded programs, further eroding the state's contribution to behavioral health programming, contrary to the expressed recommendations of the BHPC. Members noted the number of public comments that spoke in opposition to HB 1012, indicating a consistent theme of state versus federal funding shifts and associated policy impacts.

Members entertained the prospect of the BHPC Legislative Committee drafting and submitting supplemental testimony to the House Appropriations Committee – Human Resources Division following the HRD's conversations with the DHS Department Directors. Members deferred further discussions on HB 1012 until the next committee meeting.

Members requested that the [BHPC testimony on HB 1012](#) be affixed to the meeting minutes as part of the BHPC Legislative Committee's public record.

Members requested that the [BHPC testimony on HB 1089](#), regarding aversive therapy, be affixed to the meeting minutes as part of the BHPC Legislative Committee's public record.

Members requested that the [BHPC testimony on HB 1318](#), regarding seclusion and restraint, be affixed to the meeting minutes as part of the BHPC Legislative Committee's public record.

**HB 1038, Legacy Fund Allocations.** Teresa Larsen remarked that [HB 1038](#), regarding the management of state Legacy Fund distributions, is currently being reviewed. Members expressed support for providing comments on the possible use of Legacy Funds to support the health and welfare of its citizens, especially predicated on workforce development, a provision specified in the bill. Members deferred further discussion on this bill to a later meeting.

**Adjournment.** Greg Gallagher adjourned the meeting following a disruption of the committee's proceedings, without the completion of the full agenda. The meeting adjourned at 11:36 PM, CT.

**Next BHPC Legislative Committee Meeting:** Friday, February 5, 2021, at 11:00 AM, CT.

Respectfully submitted,

Greg Gallagher  
Facilitator  
Deputy Director, The Consensus Council

**APPENDIX A**

**BHPC Legislative Committee Meeting**

**January 29, 2021**

**Agenda**

**Behavioral Health Planning Council  
Legislative Committee  
Video Conference Meeting\***

**Friday, January 29, 2021  
11:00 AM – 12:00 PM, CT**

**Agenda**

11:00 AM Welcome and Call to Order: Brenda Bergsrud, Chairperson  
Roll Call of BHPC Legislative Committee Members via Electronic Sign-in

Approval of January 22, 2021, Meeting Minutes  
Approval of January 29, 2021, Meeting Agenda

Review of BHPC Legislative Committee Charge: Greg Gallagher, Facilitator

Review of Legislative Calendar, January 25-29, 2021

Review of Legislative Calendar, February 1-5, 2021

Consideration of Department of Human Services Executive Budget

Consideration of Select Bills

11:45 AM Public Comments

11:55 PM Review of Action Steps

12:00 PM Adjourn

Next Meeting: TBD, Pending Legislative Committee Action

Members and the interested individuals can join the Council's proceedings, via computer or phone connection at the following address or phone numbers:

**\*Video Conference Link:**

**Topic: BHPC Legislative Committee  
Time: Jan 29, 2021 11:00 AM Central Time**

**Join Zoom Meeting**  
<https://us02web.zoom.us/j/82867289094>

**Meeting ID: 828 6728 9094  
Phone: +1 346 248 7799;  
One tap mobile: +13462487799,,82867289094#**

**APPENDIX B**  
**Legislative Bill Summary**  
**January 28, 2021**

2021 DISABILITIES-RELATED LEGISLATION

1.28.21



HOUSE BILLS	DESCRIPTION	HOUSE COMM	HOUSE HEARING	COMM ACTION	HOUSE ACTION	SENATE COMM	SENATE HEARING	COMM ACTION	SENATE ACTION
<a href="#">HB 1007</a>	\$: DOL & HR	App/GO	1/8 @ 9:00						
<a href="#">HB 1012</a>	\$: DHS	App/HRD	See last page of GRID						
<a href="#">HB 1013</a>	\$: DPI	App/EE	1/13, 1/14						
<a href="#">HB 1014</a>	\$: P&A	Approp HRD	1/8/21 9:00						
<a href="#">HB 1015</a>	\$: OMB (includes guar. grants)	App/GO	1/13 @ 8:30						
<a href="#">HB 1027</a> FN <a href="#">H markup</a>	School district transp. aid payments (includes spec. ed.)	Education	1/6 @ 9:45	Do pass w/ amen 11-2-1					
<a href="#">HB 1030</a>	\$ for State Capitol improvements for accessibility	<u>GVA</u> Approp	<u>1/7 @ 1:30</u>	<u>Do pass 14-0</u>					
<a href="#">HB 1032</a>	Rx drug cost transparency	HS	1/6 @ 1:30						
<a href="#">HB 1033</a>	Prescribing of biosimilar drugs	HS	1/6 @ 10:45						
<a href="#">HB 1034</a> <a href="#">H markup</a>	Prelim. trtmt. & invol. trtmt. hearings; CD to SUD language	Judiciary	1/13 @ 9:00	Do pass w/ amen 12-1-1	PASSED 90-1				
<a href="#">HB 1035</a> FN	Revisions to Juvenile Court Act	Judiciary	1/26 @ 9:00						
<a href="#">HB 1036</a> <a href="#">H markup</a>	Consider studying juvenile justice process	Judiciary	1/6 @ 2:00	Do pass w/ amen 14-0	PASSED 92-0				
<a href="#">HB 1037</a> FN	Legacy earnings fund	App	2/2 @ 8:30						
<a href="#">HB 1038</a>	Legislative management legacy funds earnings comm.	Fin & Tax	1/6 @ 9:15	Do pass 14-0	PASSED 89-0				
<a href="#">HB 1044</a>	Advanced practice registered nurse licensure compact	HS	1/6 @ 9:15	Do pass 14-0	PASSED 89-0				
<a href="#">HB 1047</a>	Inspection of juvenile court files & records	Judiciary	1/11 @ 9:00	Do pass 11-2-1	PASSED 91-0				

<a href="#">HB 1048</a>	Requirement of a guardian to obtain a bond	Judiciary	1/11 @ 9:30	Do pass 9-5	PASSED 77-15				
<a href="#">HB 1049</a>	Restrictions on visitation, communication, & interaction with the ward	Judiciary	1/11 @ 10:30	Do pass 14-0	PASSED 91-0				
<a href="#">HB 1052</a> <a href="#">FN</a>	Cooperative agreements to provide services to juveniles adjudicated in tribal court	Judiciary	1/11 @ 10:00	Do pass 13-1	PASSED 89-2				
<a href="#">HB 1065</a> <a href="#">FN</a>	Nursing home's operating costs	HS	1/13 @ 9:00						
<a href="#">HB 1066</a> <a href="#">FN</a>	Accreditation of regional human service centers	HS	1/12 @ 9:15	Do pass 13-0-1	PASSED 93-0				
<a href="#">HB 1071</a>	Medical paroles	Judiciary	1/6 @ 10:30	Do not pass 9-5	FAILED 19-73				
<a href="#">HB 1076</a>	Children's Cabinet; remove sunset; options of Chair	HS	1/6 @ 10:30	Do pass 12-0-2	PASSED 89-0 (E)				
<a href="#">HB 1087</a> <a href="#">FN</a> <a href="#">H markup</a>	Third-party reinsurance; study	IBL App	<u>1/12 @ 1:45</u>	Do pass w/ amend 13-1-0					
<a href="#">HB 1089</a>	Seclusion, restraint, prohibition of shock treatment & aversive reinforcement conditioning	HS	1/18 @ 10	Do pass 14-0	PASSED 92-0				
<a href="#">HB 1090</a> <a href="#">FN</a>	Nursing home rates	HS	1/13 @ 9:15						
<a href="#">HB 1091</a> <a href="#">FN</a> <a href="#">H markup</a>	Automated clearing house to facilitate payment; shelter care, foster care	HS	1/12 @ 9:00	Do pass w/ amen 14-0	PASSED 87-2				
<a href="#">HB 1092</a> <a href="#">FN</a> <a href="#">H markup</a>	Civil & administrative remedies to combat insurance fraud	IBL	1/12 @ 8:00	Do pass w/ amend 14-0	PASSED 93-0				
<a href="#">HB 1111</a>	Study of competency-based learning initiatives	Education	1/12 @ 9	Do pass 13-0-1	PASSED 90-0				
<a href="#">HB 1117</a> <a href="#">H markup</a>	Commitment procedures	Judiciary	1/13 @ 9:30	Do pass w/ amen 12-1-1	PASSED 90-1				
<a href="#">HB 1120</a>	Deer hunting licenses for disabled veterans	Energy & Nat Res	1/21 @ 2:30						
<a href="#">HB 1124</a>	Evidence-based alcohol & drug educ. prog. for < 21 years old	Judiciary	1/18 @ 9:30	Do pass 11-2-1					



<a href="#">HB 1129</a> <a href="#">H markup</a>	Marriage penalty credit & an income tax exclusion for Soc. Sec. benefits	Fin & Tax Full App	1/11 @ 9:30 1/29 @ 10:30	Do pass w/ amen 12-2					
<a href="#">HB 1131</a>	Credentials for specialists trained in dyslexia	Education	1/13 @ 10	Do pass 13-0-1	PASSED 89-0				
<a href="#">HB 1139</a>	Duration limits for opioid therapy & benzodiazepine	IBL	1/18 @ 8:00	Do pass 12-1-1	PASSED 64-26				
<a href="#">HB 1150</a>	Commission on juvenile justice	Judiciary	1/26 @ 8:30	Do pass 11-1-2					
<a href="#">HB 1151</a>	telehealth & the practice of dentistry	HS	1/18 @ 2:30	Do pass 13-0-1	PASSED 93-0				
<a href="#">HB 1154</a>	Transparency in dental benefits contracting	IBL	2/3 @ 9:00						
<a href="#">HB 1161</a>	Closing time for polling places	GVA	1/28 @ 8:00						
<a href="#">HB 1163</a> <a href="#">H markup</a>	Needle exchange program	HS	1/18 @ 10:45	Do pass w/ amen 7-6-1					
<a href="#">HB 1171</a>	Requiring a physical polling place for mail ballot elections	GVA	1/21 @ 8:30						
<a href="#">HB 1175</a>	Business liability from COVID-19 liability claims; retroactive; (E)	IBL	1/27 @ 9:00						
<a href="#">HB 1181</a>	Defendant's fitness to proceed	Judiciary	1/20 @ 10						
<a href="#">HB 1188</a>	Services provided by special education technicians	Education	1/18 @ 2:30						
<a href="#">HB 1189</a>	Provisional ballots; canvass report requirements	Political Subs							
<a href="#">HB 1198</a>	Gov's authority regarding polling places in a disaster	GVA	1/21 @ 8:30						
<a href="#">HB 1203</a>	Req's of health insurance policies; continuation of Medicaid Expansion	IBL	1/18 @ 8:00						
<a href="#">HB 1204</a> <a href="#">H markup</a>	Limitations on req's to wear a mask at work	IBL	1/18 @ 2	Do not pass w/ amen 11-2-1	FAILED 19-74				
<a href="#">HB 1210</a>	Study of out-of-pocket expenses incurred by teachers	Education	1/18 @ 2	Do pass 10-4	PASSED 63-26				
<a href="#">HB 1213</a>	Medical marijuana (E)	HS	1/19 @ 9:45	Do pass 12-1-1					
<a href="#">HB 1217</a>	School guidance & counseling services	Education	1/19 @ 3	WITHDRAWN FROM FURTHER CONSIDERATION					
<a href="#">HB 1230</a>	Definition of a service animal; adds miniature horse	Judiciary	1/19 @ 11:30						

<a href="#">HB 1237</a>	Marriage penalty credit & income tax exclusion for social security benefits	Finance & Tax	1/19 @ 11	Do not pass 13-1					
<a href="#">HB 1238</a>	Polling places	GVA	1/28 @ 8:00						
<a href="#">HB 1239</a>	Scanned images of ballots; elimination of electronic voting & requiring paper ballots; electronic voting	GVA	1/29 @ 8:00						
<a href="#">HB 1241</a>	DHS study re a nurse triage prog. for medical assistance	HS	1/19 @ 9:00						
<a href="#">HB 1243</a>	Office of faith-based & community initiatives to establish an outreach & educ. prog. for clergy re MH	HS	1/19 @ 9:15						
<a href="#">HB 1247</a>	Merging of ND Dept. of Health & ND Dept. of Human Services	HS	1/20 @ 9:30						
<a href="#">HB 1253</a>	Election administration	GVA	1/28 @ 2:00						
<a href="#">HB 1266</a>	Low income-housing tax credit	Political Subs							
<a href="#">HB 1280</a>	Electronic voting systems	GVA	1/29 @ 8:00						
<a href="#">HB 1283</a>	Establishing an ombudsman position in DOL/HR	IBL	1/18 @ 2:00	Do not pass 9-4-1	FAILED 17-74				
<a href="#">HB 1288</a>	Medicaid coverage of continuous glucose monitoring devices	HS	1/20 @ 9:15						
<a href="#">HB 1289</a>	Increasing residency req. to become a qualified elector to one year	GVA							
<a href="#">HB 1306</a>	Legis. mgt. study of interrelationship between sudden infant death syndrome, vaccines & ASD in children	HS	1/19 @ 2:45						
<a href="#">HB 1312</a>	Eliminating early mail ballot elections & in-person voting & limiting voters eligible for case absentee ballots	GVA	1/28 @ 2:00						
<a href="#">HB 1318</a>	Adoption of a restraint & seclusion policy by schools	Education	1/19 @ 11						
<a href="#">HB 1323</a>	Limitations on mask wearing requirements	Political Subs	2/4 @ 3:00						
<a href="#">HB 1326</a> <a href="#">FN</a>	Exemption of federal coronavirus funds for SPED & basic care programs (E)	HS	1/18 @ 2:00	Do pass 14-0	PASSED 92-0 (E)				
<a href="#">HB 1332</a>	Moratorium on basic care & nursing facility bed capacity	HS	1/26 @ 9:00						

<a href="#">HB 1341</a>	State minimum wage rate	IBL	2/1 @ 9:00						
<a href="#">HB 1343</a>	Rights of health care facility residents to use electronic communication	HS	1/26 @ 9:15						
<a href="#">HB 1347</a>	Registration of in-home providers of early childhood services	HS	1/27 @ 9:00						
<a href="#">HB 1352</a>	Liability for medical products	IBL	1/26 @ 9:00						
<a href="#">HB 1354</a>	Commission on guardianship	HS	2/2 @ 9:00						
<a href="#">HB 1359</a>	Medical marijuana designated caregivers	HS	1/26 @ 9:45						
<a href="#">HB 1360</a>	Making scanned images of ballots available to the public; electronic voting, etc.	GVA	1/29 @ 8:00						
<a href="#">HB 1372</a>	Optional property tax freeze for owners w/ disabilities or $\geq 65$	Finance & Tax	1/27 @ 9:30						
<a href="#">HB 1373</a>	Early voting dates	GVA	1/28 @ 8:00						
<a href="#">HB 1377</a>	Immunization exemptions	HS	1/25 @ 2:45						
<a href="#">HB 1382</a>	Limitations on actions alleging childhood sexual abuse	Judiciary	2/3 @ 8:30						
<a href="#">HB 1384</a>	Limitations on actions alleging childhood sexual abuse	Judiciary	2/3 @ 9:15						
<a href="#">HB 1390</a>	Training for election workers	Pol. Subs	1/29 @ 9:30						
<a href="#">HB 1391</a>	Medical marijuana products	HS	1/26 @ 10:00						
<a href="#">HB 1398</a>	Prohibitions on political subdivisions regulating paid family leave	Pol. Subs	2/4 @ 10:00						
<a href="#">HB 1400</a>	Out-of-state medical marijuana cardholders, etc.	HS	1/26 @ 10:15						
<a href="#">HB 1402</a>	Substance use disorder treatment voucher system	HS	1/27 @ 10:45						
<a href="#">HB 1405</a> <a href="#">H markup</a>	Income tax credit for employment of individuals with DD or MI	Finance & Tax	1/27 @ 10:30	Do pass w/ amen 13-0-1					
<a href="#">HB 1407</a>	Medical assistance tribal health care coordination agreements	HS	1/27 @ 10:00						
<a href="#">HB 1415</a>	End-of-life health care decisions	HS	2/1 @ 10:15						
<a href="#">HB 1416</a>	Early childhood education programs	HS	2/2 @ 2:45						

<a href="#">HB 1427</a>	Duties of commission on juvenile justice & the children's cabinet; create a juvenile justice planning comm, a planning comm. for children in need of services, & a planning comm. for alternatives to juvenile detention	Judiciary	1/26 @ 10:30 2/1 @ 10:30						
<a href="#">HB 1441</a>	Paid family medical leave program & an income tax credit for contributions paid into the fund	IBL	2/3 @ 9:00						
<a href="#">HB 1443</a>	Data collection & reporting of bias crimes; training on bias crimes; report to Leg. Mgt.	Judiciary							
<a href="#">HB 1447</a>	Higher ed. student ID cards; acceptable forms of ID for voting	GVA							
<a href="#">HB 1465</a>	Freedom of choice for health care services	HS	2/3 @ 10:30						
<a href="#">HB 1466</a>	Early childhood education grants, etc.	HS	2/3 @ 2:45						
<a href="#">HB 1467</a>	Provision of pod education outside the classroom during a declared emergency or disaster	Education	2/1 @ 3:30						
<a href="#">HB 1468</a>	Informed consent & notice of risks associated with vaccines	HS	1/25 @ 2:00						
<a href="#">HB 1470</a>	Continuation of behavioral health care for inmates; Legis. Mgt. study	HS							
<a href="#">HB 1472</a>	Consumer access to complementary & alternative health care	HS	2/1 @ 2:45						
<a href="#">HB 1478</a>	Alternative education opportunities outside the classroom for course credit	Education	2/2 @ 9:00						
<a href="#">HB 1488</a>	Creation of the truth, healing, & reconciliation commission	HS							
<a href="#">HCR 3007</a>	Terminates the state of emergency in ND declared by Gov. on 3/13/20	HS	1/19 @ 10:30						
<a href="#">HCR 3009</a>	Consider studying provisions of compulsory school attendance	Education	1/19 @ 10:45	Do pass 14-0	ADOPTED				
<a href="#">HCR 3011</a> <a href="#">H markup</a>	Consider studying FASD treatment, services, prevention, policies	HS	1/18 @ 10:30	Do pass w/ amen 14-0	ADOPTED				

<a href="#">HCR 3013</a>	Consider studying issues related to employment restrictions in public assistance programs	IBL	2/2 @ 2:30						
<a href="#">HCR 3014</a>	Consider studying solutions to provider & end-user barriers to access to & utilization of telehealth services	HS							
<a href="#">HCR 3015</a>	Consider studying feasibility & desirability of implementing a community health worker program	HS							
SENATE BILLS	DESCRIPTION	SENATE COMM	SENATE HEARING	COMM ACTION	SENATE ACTION	HOUSE COMM	HOUSE HEARING	COMM ACTION	HOUSE ACTION
<a href="#">SB 2004</a>	\$: Health Dept.	APPROP.	1/14 @ 8:30						
<a href="#">SB 2007</a>	\$: Veterans' home	APPROP.	1/7 @ 8:30						
<a href="#">SB 2012</a>	\$: Transportation Dept.	APPROP.	1/11 @ 8:30						
<a href="#">SB 2015</a>	\$: DoCR	APPROP.	1/15 @ 8:30						
<a href="#">SB 2019</a>	\$: Career & Technical Educ.	APPROP.	1/7 @ 1:30						
<a href="#">SB 2022</a>	\$: Comm. on Legal Counsel for Indigents	APPROP.	1/12 @ 1:30						
<a href="#">SB 2025</a>	\$: Veterans' Affairs Dept.	APPROP.	1/7 @ 9:45						
<a href="#">SB 2029</a>	Hosp. & medical insurance pre-existing conditions	IBL	1/6 @ 2:30	DO NOT PASS 5-1	FAILED 7-40				
<a href="#">SB 2034</a> <a href="#">SMARKUP</a> <a href="#">SMARKUP2</a>	Written advisory opinions regarding ethics	JUDICIARY	1/12 @ 10:30	DO PASS W/ AMEN 7-0 AND AGAIN					
<a href="#">SB 2039</a>	Membership of the brain injury advisory council	HS	1/6 @ 2:45	DO PASS 6-0	PASSED 47-0				
<a href="#">SB 2057</a>	Sale of real or personal property of a ward; powers & duties of a guardian	HS	1/12 @ 10:30	DO PASS 6-0	PASSED 46-1				
<a href="#">SB 2083</a> <a href="#">S MARKUP</a>	Child abuse & neglect	HS	1/20 @ 9 1/26 @ 8:30	DO PASS W/ AMEN 6-0					
<a href="#">SB 2084</a>	Involuntary treatment & emergency detention	HS	1/6 @ 8:30						

<a href="#">SB 2085</a> <a href="#">S MARKUP</a> <a href="#">S2 MARKUP</a>	Remedial eye care, Medicaid waivers (ASD age), advanced practice registered nurses	HS	1/6 @ 9:15	DO PASS W/ AMEND 6-0	PASSED 47-0				
<a href="#">SB 2086</a> <a href="#">FN</a>	Human service zones	HS	1/6 @ 1:00						
<a href="#">SB 2087</a>	Medical Assistance prior authorization program	HS	1/6 @ 2:00	DO PASS 6-0	PASSED 47-0				
<a href="#">SB 2088</a>	automated clearing house to facilitate payment to adoptive parents	HS	1/6 @ 11:15	DO PASS 6-0	PASSED 47-0				
<a href="#">SB 2089</a>	Financing of welfare programs & housing stabilizations support & rental assistance; repeal of ASD voucher prog.	HS	1/12 @ 10:00						
<a href="#">SB 2122</a> <a href="#">S MARKUP</a>	PT's ordering musculoskeletal medical imaging; scope of practice	HS	1/13 @ 10:00	DO PASS W/ AMEN 5-1	PASSED 46-1				
<a href="#">SB 2125</a>	Student loan repayment program: licensed behavioral analyst	HS	1/12 @ 9:30	DO PASS 5-0-1	PASSED 47-0				
<a href="#">SB 2127</a>	Housing incentive fund	IBL APPROP	<a href="#">1/13 @ 2:00</a> <a href="#">1/29 @ 10:00</a>	DO PASS <a href="#">6-0</a>					
<a href="#">SB 2128</a> <a href="#">S MARKUP</a>	Hyperbaric oxygen therapy	HS	1/25 @ 2:30	DO PASS W/ AMEN 5-1-0					
<a href="#">SB 2130</a> <a href="#">S MARKUP</a>	Cost-benefit analysis for mandated health insurance coverage measures	HS	1/19 @ 9:30	DO PASS W/ AMEN 5-0-1					
<a href="#">SB 2131</a> <a href="#">S MARKUP</a>	Children's advocacy centers – criminal history record checks	HS	1/20 @ 11	DO PASS W/ AMEN 5-0-1	PASSED 38-9 (E)				
<a href="#">SB 2133</a>	Services provided by paramedics, EMT's, and emergency medical tech's	HS	1/19 @ 11						
<a href="#">SB 2134</a> <a href="#">S MARKUP</a>	Duties of P&A	HS	1/18 @ 11:30	DO PASS 5-1					
<a href="#">SB 2135</a>	DHS report to Legis. Mgt. re department quality	HS	1/19 @ 2:30	DO PASS 5-0-1	PASSED 47-0				
<a href="#">SB 2142</a> <a href="#">S MARKUP</a>	Processing absentee ballots	GVA	1/21 @ 9	DO PASS W/ AMEN 7-0	PASSED 47-0				

<a href="#">SB 2145</a>	Access to LTC facilities in case of a declaration of disaster or emergency	HS	1/18 @ 9						
<a href="#">SB 2146</a>	\$ to OMB for Capitol grounds accessibility	GVA	1/21 @ 10						
<a href="#">SB 2148</a> <a href="#">S MARKUP</a>	Defining health care provider to include a physical therapist	HS	1/18 @ 10:30	DO PASS W/ AMEN 5-0-1	PASSED 47-0				
<a href="#">SB 2160</a>	Application process for an absent voter's ballot	GVA	1/22 @ 10	DO NOT PASS 7-0					
<a href="#">SB 2161</a>	MH provider registry & behavioral health bed management system	HS	1/18 @ 2:30						
<a href="#">SB 2170</a>	Prescription drug costs	HS	1/27 @ 9:00						
<a href="#">SB 2176</a>	\$ for a distance learning family reimbursement program (E)	EDUC	1/20 @ 9						
<a href="#">SB 2179</a>	Health insurance coverage for telehealth	HS	1/20 @ 2:30						
<a href="#">SB 2180</a>	Child abuse, neglect mandatory reporting	HS							
<a href="#">SB 2183</a>	Accident & health insurance coverage of diabetes drugs & supplies	HS	1/19 @ 9						
<a href="#">SB 2193</a>	Prohibits Gov. from suspending or amending election laws	JUDICIARY	1/20 @ 9	DO NOT PASS 6-1	FAILED 5-42				
<a href="#">SB 2199</a>	Interstate contracts for the treatment of mental illness or substance use disorders	HS	1/25 @ 9:45	DO PASS 5- 0-1	PASSED 47-0				
<a href="#">SB 2205</a>	Medical assistance coverage of interpreter services	HS SEN APP	<a href="#">1/25 @ 9:30</a> <a href="#">2/2 @ 8:30</a>						
<a href="#">SB 2209</a>	Increased access to low-cost prescription drugs	HS	1/27 @ 10:00						
<a href="#">SB 2212</a>	Increased access to low-cost prescription drugs	HS	1/27 @ 9:30						
<a href="#">SB 2213</a>	Property tax credit for disabled veterans	FINANCE & TAX	1/27 @ 9:30						
<a href="#">SB 2222</a>	Requirements of health insurance policies; continuation of Medicaid Expansion	IBL	1/26 @ 10:15	DO NOT PASS 5-1					
<a href="#">SB 2224</a>	Medical assistance coverage of metabolic supplements	HS	1/25 @ 9:00						

<a href="#">SB 2226</a>	Licensure of residential hospice facilities & programs	HS	2/1 @ 2:15						
<a href="#">SB 2234</a>	Growing medical marijuana; allowable amounts of usable medical marijuana	JUDICIARY	1/26 @ 10:00	DO NOT PASS 7-0	FAILED 4-42				
<a href="#">SB 2235</a>	Creation of school nurse grant program	EDUCATION	1/27 @ 9:00						
<a href="#">SB 2246</a>	Drug court & creation of a veterans' treatment docket	JUDICIARY	1/25 @ 2:30	DO PASS 7-0	PASSED 40-6				
<a href="#">SB 2248</a> <a href="#">S MARKUP</a>	Administration of epinephrine	HS	1/25 @ 10:45	DO PASS W/ AMEN 5-0-1	PASSED 46-0				
<a href="#">SB 2256</a>	Legis. Mgt. study of ND's HCBS waiver for individuals with ID/DD	HS	1/26 @ 10:30						
<a href="#">SB 2265</a>	Allowing unaccompanied homeless minors to access health care without parental consent	HS	1/26 @ 10:15	DO PASS 5-1					
<a href="#">SB 2269</a>	School district payments to postsecondary transitional programs for students on IEP's	EDUCATION	1/26 @ 9:00						
<a href="#">SB 2274</a>	Scope of practice of a naturopath	HS	2/1 @ 9:00						
<a href="#">SB 2275</a>	\$ for DHS for a director for the task force on prevention of sexual abuse of children	HS	2/2/@ 9:00						
<a href="#">SB 2279</a>	Permitting pharmacy technician to admin. drugs under the authority of the pharmacist	HS	2/1 @ 9:45						
<a href="#">SB 2284</a>	Admin. of pediatric medical marijuana	HS							
<a href="#">SB 2303</a>	Tribal health units	HS							
<a href="#">SB 2305</a>	Creation of the truth, healing, & reconciliation commission		2/4 @ 2:15						
<a href="#">SB 2311</a>	Mental health & suicide prevention instruction for students in grades 7 - 12	HS							
<a href="#">SB 2331</a>	Election of the state health officer & human services commissioner	GVA	2/5 @ 9:00						
<a href="#">SB 2334</a>	Licensure of extended stay centers	IBL	2/1 @ 9:00						
<a href="#">SB 2335</a>	Licensure of prof. counselors designated supervised	HS	2/1 @ 10:15						



<a href="#">SB 2340</a>	Termination of parental rights	JUDICIARY	2/3 @ 9:00						
<a href="#">SB 2343</a>	Medical Assistance dental benefits	HS	2/3 @ 9:00						

Shaded bills = committee hearing is scheduled for the coming week

**HB 1012 – House Appropriations/HRD**

Monday – Feb. 1 9:00 Committee work

10:00 Committee work; DHS Q&A by Division

Tuesday – Feb. 2 2:45 Committee work; SUD voucher presentation; 1915(i) presentation

Wednesday – Feb. 3 8:30 Committee work; DD payment system; Free Through Recovery

2:45 Committee work; IMD information presentation; housing

Thursday – Feb. 4 8:30 Committee work; Bill/amendments review and approval

2:45 Committee work; Bill/amendments review and approval

Friday – Feb. 5 10:30 Committee work; Bill/amendments review and approval

**APPENDIX C**

**Behavioral Health Planning Council  
Testimony on HB 1012  
Before the House Appropriations Committee –  
Human Resources Division**

**January 25, 2021**

**HB 1012**  
**TESTIMONY of the ND Behavioral Health Planning Council**  
January 25, 2021

Chairman Nelson and members of the committee, I am Brenda Bergsrud, Chair of the Behavioral Health Planning Council. The Council is a federally mandated state-level advisory body responsible for providing counsel to the ND Department of Human Services regarding the provision of behavioral health services to the citizens of North Dakota. The Council is made up of 30 diverse members including consumers, family members and other stakeholders. I wish to provide this testimony, on behalf of the Council, regarding certain core behavioral health issues facing our state today.

***Secure Responsible State Funding Levels.*** As a council we request that the Committee sufficiently fund the state's behavioral health programming efforts to protect long-fought-for gains across critical service areas. Mindful of the state's current financial standing and human needs, the Council encourages the Committee to minimally sustain current funding levels across the state's vital programs, where the needs are clearly evidenced.

***Continue and Protect Programs.*** Programs in place need to continue. We also welcome the inclusion of Medicaid 1915(i) programming as a long-sought supplement to crucial care for individuals eligible within Medicaid. Yet, we must resist any short-term satisfaction with adding federal programs and funding at the expense of reducing or weakening other state funded programs that are accessible to all state citizens. The welfare of our state's citizens is too important to reduce state-level funding for core services.

***Continue Medicaid Expansion and Remove Its Sunset Clause.*** The council supports the continuation of the state's Medicaid Expansion program. The council further recommends that the Committee remove the program's current sunset clause. What the state's citizens deserve is a Medicaid Expansion program that is secure and dependable.

***Balance Behavioral Health Program Funding.*** The council requests that the Committee secure a proper balance between substance use and mental health programming and funding, establishing a programmatic and budgetary equity that supports both areas and prevents any redistribution of funds that might introduce disparity. The state must commit to structure and fund both mental health and substance use programs that address the complex, real, and overlapping needs within each domain.

***Optimize the State's Behavioral Health Strategic Efforts.*** The council recognizes the need to optimize both state and federal funding to support our state's behavioral health system. Securing federal and state funds in a manner that offers the best benefit to the most people is demanding work. The council is mindful of this work and dedicates itself to counseling the Department of Human Services regarding this work. We trust you will consider our counsel in this regard. The state's behavioral health community, including all its stakeholders, have collaborated across a number of years to develop the state's current behavioral health strategic plan. This plan articulates what a balanced statewide behavioral health system should look like. What this plan identifies captures some of the best thinking of where we as a state

and how we might best invest our time, money, and effort. The Council encourages the Committee to build a budget that supports the implementation of this plan, including optimizing our federal and state funding. As you move forward with your discussions in building a responsible budget, we ask that you minimally sustain the contribution of state funds to support the state's behavioral health strategic plan, which lays forth a responsible, measured means of meeting the behavioral health needs of our citizens, now and into the future.

The council appreciates this opportunity to present these comments regarding HB 1012. The council also extends an offer to provide any assistance and additional information that might aid the Committee in its deliberations.

Thank you for your kind consideration of our comments.

**APPENDIX D**

**Behavioral Health Planning Council  
Testimony on HB 1089**

**January 15, 2021**

HB 1089  
House Human Services Committee  
Testimony of the ND Behavioral Health Planning Council  
January 18, 2021

Chair Weisz and members of the Committee, I'm Brenda Bergsrud, Chair of the Behavioral Health Planning Council. The Council is a federally mandated body operating out of the ND Department of Human Services/Behavioral Health Division. The Council is made up of 30 diverse members including consumers, family members, and other stakeholders.

The Council supports HB 1089. In particular, the Council believes that patients and residents should be free from aversive reinforcement conditioning; that this should not be an option, or available tool from the toolbox, for treatment or care regardless of consent from the individual or his/her guardian. Aversive reinforcement conditioning subjects the individual to a stimulus, usually uncomfortable and sometimes harmful, when he/she exhibits a particular behavior. It is an archaic.

Please support HB 1089. Thank you.

**APPENDIX E**

**Behavioral Health Planning Council  
Testimony on HB 1318**

**January 15, 2021**

HB 1318  
House Education Committee  
January 19, 2021

Chair Owens and members of the Committee, I am Brenda Bergsrud, Chair of the Behavioral Health Planning Council. The Council is mandated by the federal government and operates out of the Department of Human Services/Behavioral Health Division. There are 30 members which consist of consumers, family members, and other stakeholders.

The Council supports HB 1318 which would require each school district in ND to have a written policy that prohibits the use of chemical and mechanical restraint as well as seclusion. It further proposes regulation on the use of physical restraints to make sure it is used only when it is absolutely necessary, that being when there is a threat of imminent danger to the student or others and after other less intrusive methods have been tried in a safe way.

North Dakota is one of a few states that does not have any legislation related to seclusion and restraint. This legislation would ensure that every school in the State enacts a written policy with consistent requirements, including one that requires districts to provide training and support for school personnel to give them behavior management tools which will hopefully reduce the need for using seclusion or restraint in the first place. This is important for everyone who works at or attends school. It will especially have an impact on students with disabilities, who are much likelier to find them selves in situations where they are restrained or secluded due to behavioral issues related to their disabilities.

Thank you for reviewing the Council's position on this significant matter.

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