

Good morning Chairman Lee and members of the Senate Human Service Committee. My name is Bruce Pritschet, Director of the Division of Health Facilities within the Department of Health. I am here to provide information on Senate Bill 2317 related to the licensing of a pediatric subacute care nursing facility within North Dakota Century Code Section 23-16.

Senate Bill 2317 adds a new section to 23-16 to license pediatric subacute care facilities as nursing facilities under Section 3. We are not opposed to this amendment. The bill also refers to 23-09.3 which are basic care regulations and makes modifications to residential areas and services to non-geriatric persons in Sections 1 and 2. The amendments to the Basic Care code in Sections 1 and 2 are unnecessary and confusing when these changes could and should be part of Section 3 and refer to changes in 23-16 for nursing facilities.

Section 3 of SB 2317 also requires the Department of Health to adopt licensing rules for pediatric subacute care facilities as a type of nursing facility. Current administrative code rules for nursing facilities have established a framework for licensing nursing facilities and include building construction and compliance. Therefore, we believe there are existing mechanisms in place to address facility construction or remodeling proposals within existing licensing rules and would recommend revisions to 50-06-38 be deleted from the bill.

Section 6 of SB 2317 requires a pediatric subacute care facility to submit facility construction or remodeling proposals to the Department of Human Services for review. We believe this authority to review and approve construction should lie with the licensing entity, the Department of Health. Building compliance has historically been part of the licensing process in which the licensing entity determines the services are appropriately rendered in an environment complying with established standards.

This concludes my testimony and I would be glad to stand for questions.