

**Sixtieth Legislative Assembly of North Dakota  
In Regular Session Commencing Wednesday, January 3, 2007**

HOUSE BILL NO. 1482  
(Representatives Koppelman, Kreidt, Svedjan, Thoreson)  
(Senators Dever, Warner)

AN ACT to create and enact a new section to chapter 12-47 of the North Dakota Century Code, relating to health care for chronically or terminally ill offenders.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1.** A new section to chapter 12-47 of the North Dakota Century Code is created and enacted as follows:

**Definitions - Health care for chronically or terminally ill offenders - Notice to health care facility.**

1. As used in this section:
  - a. "Chronically ill" has the same meaning as in section 26.1-33.2-01.
  - b. "Department" means the department of corrections and rehabilitation.
  - c. "Health care facility" means an assisted living facility as defined in section 23-09-01, a basic care facility as defined in section 23-09.3-01, or a nursing home as defined in section 23-30-01, except that transitional care units and other long-term care beds owned or operated on the premises of acute care hospitals or critical care hospitals are not health care facilities for the purpose of this section.
  - d. "Terminally ill" has the same meaning as in section 26.1-33.2-01.
2. If an offender is to be given an early release, pardon, or parole due to a chronic or terminal illness for admission as a resident of a health care facility due to the chronic or terminal illness, the department shall provide prior written notice to the administrator of the facility, stating:
  - a. The offense for which the offender was convicted and a description of the actual offense;
  - b. The offender's status with the department;
  - c. That, subject to subsection 3, the information provided by the department regarding the offender may be provided to residents and employees of the facility by the administrator of the facility;
  - d. The offender's health status and type of health care the offender requires;
  - e. Any available risk assessment information regarding the offender's likelihood of reoffending; and
  - f. The name of the party responsible for the payment for the services provided by the health care facility to the offender.

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Speaker of the House

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President of the Senate

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Chief Clerk of the House

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Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixtieth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1482.

House Vote:      Yeas    89      Nays    0      Absent    5

Senate Vote:    Yeas    46      Nays    0      Absent    1

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Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2007.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2007.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2007,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

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Secretary of State