

February 3, 2020

Vonette Richter, Legal Division Director  
North Dakota Legislative Council  
State Capitol  
Bismarck, ND 58505

RE: Proposed Amendments to N.D. Admin. Code chapter 75-03-36  
Licensing of Child-Placing Agencies

Dear Ms. Richter:

Enclosed for filing in the office of the Legislative Council is the Notice of Intent to amend Administrative Rules concerning the above proposed rules as required by N.D.C.C. section 28-32-10. Also enclosed is a copy of the proposed rules.

We have requested publication of an abbreviated newspaper publication notice once in each official county newspaper which will notify the public that an oral hearing on these rules will be held on Thursday, March 19, 2020, beginning at 2:30 p.m. and continuing until 4:00 p.m. or until no further testimony is offered, whichever occurs first.

If you have any questions or concerns, please contact me at 328-2311. Thank you.

Sincerely



Jonathan Alm  
Legal Advisory Unit

JA/rv

cc: Cory Pederson, CFS  
Dean Sturn, CFS  
Kelsey Bless, CFS  
Julie Hoffman, CFS  
Kyle Vorachek, CFS

Enclosures

LEGAL ADVISORY UNIT

NOTICE OF INTENT TO AMEND  
ADMINISTRATIVE RULES RELATING TO  
N.D.A.C. CHAPTER 75-03-36  
LICENSING OF CHILD-PLACING AGENCIES

TAKE NOTICE that the North Dakota Department of Human Services will hold a public hearing to address proposed amendments to N.D. Admin. Code Chapter 75-03-36 at 2:30 p.m. on Thursday, March 19, 2020 in Bismarck, N.D. in AV Room 210, located on the second floor of the Judicial Wing of the State Capitol.

The proposed amendments to N.D. Admin. Code Chapter 75-03-36, Licensing of Licensing of Child-Placing Agencies, are necessary to comply with 2019 Senate Bill No. 2124.

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The proposed changes are as follows:

**Section 75-03-36-01** is amended to remove the definition of “regional supervisor”. The definition will be removed from this chapter because the role of the Department employee is not directly affiliated with the work of a North Dakota licensed child placing agency (LCPA). Licensing of the agency is completed by the Department’s Children and Family Services Division administration with only one further reference to “regional supervisor” existing in the chapter. The later reference will be amended in section 75-03-36-17.

**Subdivision a of Subsection 1 of Section 75-03-36-13** is amended to ensure consistency with recently updated N.D. Admin. Code chapter 75-03-14, Family Foster Home for Children, fingerprint based criminal background check requirements.

**Section 75-03-36-17** is amended to reflect the removal of the definition of “regional supervisor” in section 75-03-06-01 by replacing “regional supervisor” with “department”. The Department is undergoing redesign efforts specific to 2019 Senate Bill No. 2124 and this task will be accommodated in the redesign of tasks for Department employees, inclusive of current regional supervisors statewide.

**Subsection 6 of Section 75-03-36-32** is amended to update custody from county social services to human service zone in response to 2019 Senate Bill No. 2124, while also referencing the tribes in the case plan for adoption cases.

LEGAL ADVISORY UNIT

The proposed amendments are not anticipated to have an impact on the regulated community in excess of \$50,000. No taking of real property is involved in this rulemaking action.

Copies of the proposed rules are available for review at human service zones (formally known as county social services) offices and at human service centers. Copies of the proposed rules and the regulatory analysis relating to these rules may be requested by telephoning (701) 328-2311. Written or oral data, views, or arguments may be entered at the hearing or sent to: Rules Administrator, North Dakota Department of Human Services, State Capitol - Judicial Wing, 600 E. Boulevard Ave., Dept. 325, Bismarck, ND 58505-0250. Written data, views, or arguments on the proposed rules must be received no later than 5:00 p.m. on Monday, March 30, 2020.

**ATTENTION PERSONS WITH DISABILITIES:** If you plan to attend the hearing and will need special facilities or assistance relating to a disability, please contact the Department of Human Services at the above telephone number or address at least two weeks prior to the hearing.

Dated this 3<sup>rd</sup> day of February, 2020.

NORTH  
**Dakota** | Human Services  
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Licensing of Child-Placing Agencies

TO WHOM IT MAY CONCERN:

The Department of Human Services is proposing amendments to N.D. Admin. Code chapter 75-03-36, Licensing of Child-Placing Agencies. The department has adopted procedures to assure public input into the formulation of the rules prior to adoption.

In conformity with those procedures, we are providing you with a copy of the proposed rules and are requesting that you provide any written data, views, or arguments no later than 5:00 p.m. on Monday, March 30, 2020.

The department has scheduled an oral hearing for Thursday, March 19, 2020. Further information concerning the public hearing is included in the attached notice of proposed rulemaking and public hearing.

Your participation is welcomed, as are your suggestions. Please send all written data, views, or arguments to: Rules Administrator, Department of Human Services, State Capitol - Judicial Wing, 600 E. Boulevard Ave., Bismarck, ND 58505-0250.

Sincerely,



Christopher Jones,  
Executive Director

CDJ/rv

Enclosures

cc: Vonette Richter, Legislative Council  
Cory Pederson, CFS  
Dean Sturn, CFS  
Kelsey Bless, CFS  
Julie Hoffman, CFS  
Kyle Vorachek, CFS

**EXECUTIVE OFFICE**

GOVERNOR  
Doug Burgum

EXECUTIVE DIRECTOR  
Christopher Jones