

FEB 07 2020

February 7, 2020

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

RE: Proposed Creation of N.D. Admin. Code chapter 75-03-43
Certified Peer Support Specialists

Dear Ms. Richter:

Enclosed for filing in the office of the Legislative Council is the Notice of Intent to create 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 26, 2020, beginning at 2:00 p.m. and continuing until 3:30 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: Pamela Sagness, Behavioral Health
Laura Anderson, Behavioral Health

Enclosures

LEGAL ADVISORY UNIT

600 E Boulevard Ave Dept 325 | Bismarck ND 58505-0250

701.328.2311 | Fax 701.328.2173 | 800.472.2622 | 711 (TTY) | www.nd.gov/dhs

NOTICE OF INTENT TO CREATE
ADMINISTRATIVE RULES RELATING TO
N.D.A.C. CHAPTER 75-03-43
CERTIFIED PEER SUPPORT SPECIALISTS

TAKE NOTICE that the North Dakota Department of Human Services will hold a public hearing to address proposed creation of N.D. Admin. Code chapter 75-03-43 at 2:00 p.m. on Thursday, March 26, 2020, in Bismarck, N.D. in Room 210, located on the second floor of the Judicial Wing of the State Capitol.

The proposed creation of N.D. Admin. Code chapter 75-03-43, Certified Peer Support Specialists, is necessary to ensure compliance with Section 3 of Senate Bill No. 2012 requirements for the Department to establish and implement a program for the certification of peer support specialists.

The proposed changes are as follows:

Section 75-03-43-01 is created to provide definitions regarding certified peer support specialists. Definitions created include “Certified peer support specialist I”, “Certified peer support specialist II”, “Department”, “Division”, “Peer Support Specialist”, and “Recovery”.

Section 75-03-43-02 is created to outline the minimal criteria that an applicant shall meet to be eligible to become a certified peer support specialist I and a certified peer support specialist II.

Sections 75-03-43-03 and 75-03-43-04 are created to outline what information is required with an application for a certified peer support specialist I and II. These sections outline what information the applicant shall submit with their application including an application fee; division’s notification requirements to the applicant and action if the application is incomplete; division’s review to approve or deny the application and applicant’s appeal rights; and to inform the applicant that all accompanying materials are subject to open records requirements.

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Section 75-03-43-05 is created to provide when and for how long certifications are effective, and require a certified peer support specialist to inform the division of any changes in personal information within sixty days.

Section 75-03-43-06 is created to outline what must be done by a certified peer support specialist I and II to renew a certification. This section outlines what information the certified peer support specialist I or II shall submit with their recertification application, including an application fee; when a recertification application will be accepted; notice that upon expiration of a certification, the peer support specialist I or II is not eligible to practice as a certified peer support specialist I or II; the division's notification requirements to the certified peer support specialist I or II, and action if the application is incomplete; division's review to approve or deny the recertification application and appeal rights; to inform the certified peer support specialist I and II that all accompanying materials are subject to open records requirements; and notice that if a certified peer support specialist I or II certification lapses, the applicant shall apply for certification in accordance with section 75-03-43-03.

Section 75-03-43-07 is created to require continuing education for certified peer support specialists I and II.

Section 75-03-43-08 is created to provide that a certified peer support specialist from another state can obtain certification in North Dakota if the department has entered into a reciprocity agreement with the state that issued the individual's certificate.

The proposed rules 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 (formerly 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, April 6, 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 7th day of February, 2020.

NORTH
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February 7, 2020

RE: Proposed creation of N.D. Admin. Code chapter 75-03-43
Certified Peer Support Specialists

TO WHOM IT MAY CONCERN:

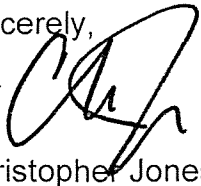
The Department of Human Services is proposing the creation of N.D. Admin. Code chapter 75-03-43, Certified Peer Support Specialists. The department has adopted procedures to assure public input into the formulation of the rules prior to adoption.

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, April 6, 2020.

The department has scheduled an oral hearing for Thursday, March 26, 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
Pamela Sagness, Behavioral Health
Laura Anderson, Behavioral Health

EXECUTIVE OFFICE

GOVERNOR
Doug Burgum

EXECUTIVE DIRECTOR
Christopher Jones