

FEB 05 2020

February 5, 2020

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

RE: Proposed Amendments to N.D. Admin. Code chapter 75-03-21
Licensing of Foster Care Homes for Adults

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 26, 2020, beginning at 9:00 a.m. and continuing until 10:30 a.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: Nancy Nikolas-Maier, Aging Services

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 AMEND
ADMINISTRATIVE RULES RELATING TO
N.D.A.C. CHAPTER 75-03-21
LICENSING OF FOSTER CARE HOMES FOR ADULTS

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 75-03-21 at 9:00 a.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 amendments to N.D. Admin. Code Chapter 75-03-21, Licensing of Foster Care Homes for Adults, are necessary to comply with 2019 Senate Bill No. 2124.

The proposed changes are as follows:

Section 75-03-21-02 is amended to modify language to state that an application to operate a facility should be submitted to the Department, rather than the county, in response to 2019 Senate Bill No. 2124 and to remove language regarding application fee requirements.

Section 75-03-21-09.1 is amended to be consistent with criminal conviction requirements for Qualified Service Providers in N.D. Admin. Code Chapter 75-03-23, to provide additional opportunities for the Department to consider a provider or applicant sufficiently rehabilitated, and to rearrange and properly title existing statutory references. Adult foster care providers are also required to be enrolled as Qualified Service Providers.

Subsection 3 of Section 75-03-21-13 is amended to remove language that referred to the responsibilities of the County in response to 2019 Senate Bill No. 2124.

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 the 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

LEGAL ADVISORY UNIT

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 5th day of February, 2020.

February 5, 2020

RE: Proposed amendments to N.D. Admin. Code chapter 75-03-21
Licensing of Foster Care Homes for Adults

TO WHOM IT MAY CONCERN:

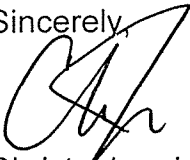
The Department of Human Services is proposing amendments to N.D. Admin. Code chapter 75-03-21, Licensing of Foster Care Homes for Adults. The department has adopted procedures to assure public input into the formulation of the rules prior to adoption.

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
Nancy Nikolas-Maier, Aging Services

EXECUTIVE OFFICE

GOVERNOR
Doug Burgum

EXECUTIVE DIRECTOR
Christopher Jones