



Jack Dalrymple, Governor  
Maggie D. Anderson, Executive Director

May 12, 2016

Vonette Richter, Assistant Code Revisor  
North Dakota Legislative Council  
State Capitol  
Bismarck, ND 58505

RE: Proposed Amendments to N.D. Admin. Code Chapter 75-02-01.3  
Child Care Assistance

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 June 20, 2016, beginning at 10 a.m. and continuing until 11:30 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,

A handwritten signature in black ink, appearing to read "Jonathan Alm", with a long, sweeping horizontal stroke extending to the right.

Jonathan Alm  
Legal Advisory Unit

JA/jgl

cc: Michele Gee, Economic Assistance  
Carol Cartledge, Economic Assistance

Enclosures

NOTICE OF INTENT TO AMEND  
ADMINISTRATIVE RULES RELATING TO  
N.D.A.C. CHAPTER 75-02-01.3  
CHILD CARE ASSISTANCE

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 75-02-01.3 at 10 a.m. on Monday, June 20, 2016, in Bismarck, N.D. in Room 210, located on the second floor of the Judicial Wing of the State Capitol.

The proposed changes are as follows:

**Section 75-02-01.3-02** is amended to clarify an applicant or recipient's right to appeal an agency decision without first requiring a request to reconsider that decision.

**Section 75-02-01.3-03** is amended to clarify the conditions that would lead to closure of a case.

**Section 75-02-01.3-04** is amended to remove redundant language as subsection 1 is currently addressed in state law.

**Section 75-02-01.3-05** is amended to clarify approved relative provider background check language, to update statutory offenses, and to clarify a relative provider applicant and approved relative provider's right to appeal without first requiring a request to reconsider a denial or termination decision.

**Section 75-02-01.3-06** is amended to clarify language regarding payments to providers and to remove the denial of assistance for failure to pay a provider provision.

**Section 75-02-01.3-08** is amended to clarify types of incomes exempt from the determination of child care assistance.

**Section 75-02-01.3-12** is amended to increase the duration of the penalties for intentional program violations to align with other economic assistance programs.

**Section 75-02-01.3-13** is amended to clarify an applicant, recipient, relative provider applicant, or approved relative provider's right to appeal an agency decision without first requiring a request to reconsider that decision.

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 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 Thursday, June 30, 2016.

**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 12<sup>th</sup> day of May, 2016.



Jack Dalrymple, Governor  
Maggie D. Anderson, Executive Director

May 12, 2016

RE: Proposed Amendments to N.D. Admin. Code Chapter 75-02-01.3  
Child Care Assistance

TO WHOM IT MAY CONCERN:

The Department of Human Services is proposing amendments to N.D. Admin. Code chapter 75-02-01.3, Child Care Assistance. 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 June 30, 2016.

The department has scheduled an oral hearing for June 20, 2016. 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,

A handwritten signature in black ink that reads "Maggie D. Anderson".

Maggie D. Anderson,  
Executive Director

MDA/jgl

Attachments

cc: Vonette Richter, Legislative Council  
Michele Gee, Economic Assistance  
Carol Cartledge, Economic Assistance