

AUG 02 2016



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Jack Dalrymple, Governor
Maggie D. Anderson, Executive Director

August 2, 2016

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

RE: Proposed Amendments to N.D. Admin. Code Chapter 75-02-02
Medical Services

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 September 8, 2016, beginning at 3:30 p.m. and continuing until 5:00 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,

A handwritten signature in black ink, appearing to read "Jonathan Alm", is written over a horizontal line.

Jonathan Alm
Legal Advisory Unit

JA/jgl

cc: Erik Elkins, Medical Services

Enclosures

NOTICE OF INTENT TO AMEND
ADMINISTRATIVE RULES RELATING TO
N.D.A.C. CHAPTER 75-02-02
MEDICAL SERVICES

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 75-02-02 at 3:30 p.m. on Thursday, September 8, 2016, 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 75-02-02, Medical Services, are necessary, in part, to comply with changes made by the Sixty-fourth Legislative Assembly in 2015 Senate Bill Nos. 2043 and 2046.

The proposed changes are as follows:

Section 75-02-02-03.2 is amended to change the definition of “psychological service” to “behavior health service” to clarify the practitioners that are included within this group in response to 2015 Senate Bill No. 2046.

Section 75-02-02-08 is amended to add community paramedic services in response to 2015 Senate Bill No. 2043 and clarify physician-administered drug reimbursement as a result of a final rule adopted by the Centers for Medicare and Medicaid Services.

Section 75-02-02-09.1 is amended to remove reference to copayments for non-emergent use of the emergency room and update language as a result of the changes in Section 75-02-02-03.2 changing “psychological service” to “behavioral health service” in response to 2015 Senate Bill No. 2046.

Section 75-02-02-09.4 is amended to remove the reference to school based services and limitations on services to children, update language as a result of the changes in Section 75-02-02-03.2 changing “psychological service” to “behavioral health service” in response to 2015 Senate Bill No. 2046, and clarify limitations on behavioral health services.

Section 75-02-02-29 is amended to update language as a result of the changes in Section 75-02-02-03.2 changing “psychological service” to “behavioral health service” in response to Senate Bill No. 2046.

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 Monday, September 19, 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 2nd day of August, 2016.



Jack Dalrymple, Governor
Maggie D. Anderson, Executive Director

August 2, 2016

RE: Proposed Amendments to N.D. Admin. Code Chapter 75-02-02
Medical Services

TO WHOM IT MAY CONCERN:

The Department of Human Services is proposing amendments to N.D. Admin. Code chapter 75-02-02, Medical Services. 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 September 19, 2016.

The department has scheduled an oral hearing for September 8, 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,


Maggie D. Anderson,
Executive Director

MDA/jgl

Enclosures

cc: Vonette Richter, Legislative Council
Erik Elkins, Medical Services