

NOV 02 2017

Legal Advisory Unit



(701) 328-2311
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Doug Burgum, Governor
Christopher Jones, Executive Director

November 2, 2017

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

RE: Proposed Amendment of N.D. Admin. Code Section 75-09.1-01-01 Definitions and the Creation of Article 75-09.2 Substance Use Disorder Early Intervention and Chapter 75-09.2-01 Alcohol and Drug Early Intervention Program

Dear Ms. Richter:

Enclosed for filing in the office of the Legislative Council is the Notice of Intent to Amend and 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 December 8, 2017, beginning at 1:30 p.m. and continuing until 3:00 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 blue ink, appearing to read "Jonathan Alm", is written over a blue horizontal line.

Jonathan Alm
Legal Advisory Unit

JA/jgl

cc: Pam Sagness, Behavioral Health Division

Enclosures



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RE: Proposed Amendment of N.D. Admin. Code Section 75-09.1-01-01 Definitions and creation of Article 75-09.2 and Chapter 75-09.2-01 Substance Use Disorder Early Intervention and Alcohol and Drug Early Intervention Program

TO WHOM IT MAY CONCERN:

The Department of Human Services is proposing amendment of N.D. Admin. Code section 75-09.1-01-01, Definitions and the creation of article 75-09.2 and Chapter 75-09.2-01, Substance Use Disorder Early Intervention and Alcohol and Drug Early Intervention Program. 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 December 18, 2017.

The department has scheduled an oral hearing for December 8, 2017. 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, appearing to be "C. Jones", written over a horizontal line.

Christopher Jones,
Executive Director

CDJ/jgl

Enclosures

cc: Vonette Richter, Legislative Council
Pam Sagness, Behavioral Health Division

Doug Burgum, Governor
Christopher Jones, Executive Director

NOTICE OF INTENT TO AMEND AND CREATE
ADMINISTRATIVE RULES RELATING TO
N.D.A.C. SECTION 75-09.1-01-01 DEFINITIONS, ARTICLE 75-09.2 SUBSTANCE
USE DISORDER EARLY INTERVENTION AND CHAPTER 75-09.2-01
ALCOHOL AND DRUG EARLY INTERVENTION PROGRAM

TAKE NOTICE that the North Dakota Department of Human Services will hold a public hearing to address proposed amendment of N.D. Admin. Code section 75-09.1-01-01, creation of article 75-09.2 and chapter 75-09.2-01 at 1:30 p.m. on Friday, December 8, 2017, 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 article 75-09.2, Substance Use Disorder Early Intervention and of article 75-09.2 and chapter 75-09.2-01, Alcohol and Drug Early Intervention Program, are necessary to comply with Section 2 of 2017 House Bill No. 1040.

The proposed changes are as follows:

Section 75-09.1-01-01 is amended to reflect the current addition of ASAM criteria and the DSM (diagnostic and statistical manual of mental disorders).

Article 75-09.2 is created to establish a new article for the placement of the new chapter 75-09.2-01, Alcohol and Drug Early Intervention Program.

Chapter 75-09.2-01 is created to establish the definitions; application process for MIP certification; MIP certification requirements; provider criteria; background checks and investigations; criminal convictions and effect on provider status; program criteria; information management reporting requirements; suspensions; and program denials and revocations.

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, December 18, 2017.

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 November, 2017.