

October 25, 2019

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

RE: Proposed Amendments to N.D. Admin. Code chapter 75-09.1-11
Substance Use Disorder Treatment Voucher System

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 December 9, 2019, beginning at 1:00 p.m. and continuing until 2:30 p.m. or until no further testimony is offered, whichever occurs first.

If you have any questions or concerns, please contact me at 328-3311. Thank you.

Sincerely,



Jonathan Alm
Legal Advisory Unit

JA/rs

cc: Pamela Sagness, 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 AMEND
ADMINISTRATIVE RULES RELATING TO
N.D.A.C. CHAPTER 75-09.1-11
SUBSTANCE USE DISORDER TREATMENT VOUCHER SYSTEM

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 75-09.1-11 at 1:00 p.m. on Monday, December 9, 2019, in Bismarck, N.D. in AV Room 210, located on the second floor of the Judicial Wing of the State Capitol.

The proposed amendments to N.D. Admin. Code chapter 75-09.1-11, Substance Use Disorder Treatment Voucher System, are necessary to ensure compliance with legislative intent regarding Department's budget for the substance use disorder treatment voucher system.

The proposed changes are as follows:

Section 75-09.1-11-01 is amended to remove language stating that vouchers would be defined only as funding issued by Department to a private licensed substance abuse treatment for providing substance use disorder treatment and recovery services. Changes in this section now define vouchers as funding issued by Department to any licensed substance abuse treatment program, excluding human service centers and North Dakota state hospital. The section is also amended to change an existing reference to 2015 Session Law in "Law Implemented" to North Dakota Century Code § 50-06-42.

Sections 75-09.1-11-02, 75-09.1-11-03, 75-09.1-11-04, 75-09.1-11-05, 75-09.1-11-06, 75-09.1-11-08, 75-09.1-11-09, 75-09.1-11-10, 75-09.1-11-11, 75-09.1-11-12, 75-09.1-11-13, and 75-09.1-11-14 are amended to change an existing reference to 2015 Session Law in "Law Implemented" to North Dakota Century Code § 50-06-42.

Section 75-09.1-11-07 is amended to provide language stating that individuals fourteen years of age or older are eligible for a substance use disorder treatment voucher. The section is also amended to change an existing reference to 2015 Session Law in "Law Implemented" to North Dakota Century Code § 50-06-42.

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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, December 19, 2019.

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 25th day of October, 2019.

October 25, 2019

RE: Proposed amendments to N.D. Admin. Code chapter 75-09.1-11
Substance Use Disorder Treatment Voucher System

TO WHOM IT MAY CONCERN:

The Department of Human Services is proposing amendments to N.D. Admin. Code chapter 75-09.1-11, Substance Use Disorder Treatment Voucher System. 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 19, 2019.

The department has scheduled an oral hearing for December 9, 2019. 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/rs

Enclosures

cc: Vonette Richter, Legislative Council
Pamela Sagness, Behavioral Health

EXECUTIVE OFFICE

GOVERNOR
Doug Burgum

EXECUTIVE DIRECTOR
Christopher Jones