

Introduced by

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A BILL for an Act to amend and reenact sections 50-11-00.1 of the North Dakota Century Code, relating to family foster care for children licenses.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 50-11-00.1 of the North Dakota Century Code is amended

and reenacted as follows:

50-11-00.1. Definitions.

As used in this chapter:

1. "Agency foster home for adults" means a residential home in which foster care for adults is regularly provided by professional staff trained to provide services to older adults or adults with a disability, to four or fewer adults who are not related by blood or marriage to the owner or lessee, for hire or compensation.
2. "Approval" means the approval by the department, upon submission of tribal licensing standards or in the absence of tribal licensing standards compliance with state standards, of a facility located on or near, as identified by the tribe, a recognized Indian reservation in North Dakota, not subject to the jurisdiction of the state of North Dakota for licensing purposes, to allow the facility to receive title IV-E funding.
3. "Authorized agent" means the human service zone, unless another entity is designated by the department.
4. "Certified family foster home for children" means an occupied private residence in which foster care for children is regularly provided by the owner or lessee of the residence to no more than three children, unless the department approves otherwise.
5. "Department" means the department of health and human services.
- 5-6. "Facility" means a foster home for adults, agency foster home for adults, family foster home for children, certified family foster home for children, residential treatment center for trafficked youth, supervised independent living program, or qualified residential treatment program for children.
- 6-7. "Family foster home for children" means an occupied private residence in which foster care for children is regularly provided by the owner or lessee of the residence to no more than six children, unless the department approves otherwise.

7-8. "Foster care for adults" means the provision of food, shelter, security and safety,

guidance, and comfort on a twenty-four-hour per day basis, in the residential home of a caregiver or agency, to an individual age eighteen or older, who is unable, neglects, or refuses to provide for the individual's own care.

8-9. "Foster care for children" means the provision of substitute parental child care for those

children who are in need of care for which the child's parent, guardian, or custodian is unable, neglects, or refuses to provide, and includes the provision of food, shelter,

security and safety, guidance, and comfort on a twenty-four-hour basis, to one or more children under twenty-one years of age to safeguard the child's growth and development and to minimize and counteract hazards to the child's emotional health inherent in the

separation from the child's family. Foster care may be provided in a licensed, certified, or approved family foster home for children, supervised independent living program, or qualified residential treatment program.

9-10. "Foster home for adults" means an occupied private residence in which foster care for

adults is regularly provided by the owner or lessee of the residence, to four or fewer adults who are not related by blood or marriage to the owner or lessee, for hire or compensation.

10-11. "Identified relative" or "kinship relative" means:

a. The child's grandparent, great-grandparent, sibling, half-sibling, aunt, great-aunt,

uncle, great-uncle, nephew, niece, or first cousin;

b. An individual with a relationship to the child, derived through a current or former

spouse of the child's parent, similar to a relationship described in subdivision a;

c. An individual recognized in the child's community as having a relationship with the

child similar to a relationship described in subdivision a; or

d. The child's stepparent.

11-12. "Qualified residential treatment program" means a licensed or approved residence

providing an out-of-home treatment placement for children.

12-13. "Residential treatment center for trafficked youth" means a licensed or approved

residence providing out-of-home treatment specific to meet the needs of children at risk of

or identified as victims of human trafficking.

14. "Supervised independent living program" means a licensed or approved setting providing

supervision and service delivery to youth transitioning into adulthood.