

CHAPTER 33-03-34
AUTISM SPECTRUM DISORDER (ASD) DATABASE

SECTION

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33-03-34-01. Purpose.

1. The purpose of these rules is to establish and administer a state autism spectrum disorder database of all reported cases of autism spectrum disorder to improve current knowledge and understanding of autism spectrum disorder in North Dakota.

General Authority: NDCC 23-01-41, 23-01-03, 23-01-04

Law Implemented: NDCC 23-01-41

33-03-34-02. Definitions. As used in this chapter:

1. “Autism Spectrum Disorder” is a neurodevelopmental disorder which refers to a wide range of symptoms and severity levels that is typically manifested in impaired social interaction; problems with verbal and nonverbal communication; restricted, repetitive patterns of behavior, interests, or activities.
2. “Autism Spectrum Disorder Database” is the system established by the department for reporting and recording of all reported cases of autism spectrum disorder in the state.
3. “Complete physical evaluation” is the evaluation of an individual that is performed as part of the diagnostic process for autism spectrum disorder. The purpose is to rule out other conditions with similar symptoms to autism spectrum disorder.
4. “Department” means the North Dakota Department of Health.
5. “Reporter” is any physician, psychologist or other licensed or certified health care professional who is qualified by training and by licensure or certification to make the diagnosis of autism spectrum disorder. Qualified reporters include physicians, psychologists, nurse practitioners, clinical nurse specialists, licensed independent clinical social workers, and licensed professional clinical counselors.

6. “Licensed Independent Practitioner” is any practitioner permitted by law to provide care and services, without direction or supervision, within the scope of the practitioner license and consistent with individually assigned clinical responsibilities.
7. “Reporter’s designee” is a person who has been designated by a reporter to report an individual to the autism spectrum disorder database.

General Authority: NDCC 23-01-41, 23-01-03, 23-01-04

Law Implemented: NDCC 23-01-41

33-03-34-03. Reporting requirements.

1. A reporter or the reporter’s designee shall report to the department any individual diagnosed with autism spectrum disorder who is the reporter’s patient or client, provided the individual or least one of the individual’s parents or guardians is a resident of North Dakota.
2. A reporter or the reporter’s designee shall report in the form and manner directed by the department, including the reported individual’s diagnosis under the most recent edition of the American Psychiatric Association’s Diagnostic and Statistical Manual of Mental Disorders and whether a complete physical evaluation was performed by a licensed independent practitioner as part of the diagnostic process for autism spectrum disorder.
3. A reporter or the reporter’s designee shall report newly diagnosed individuals to the department within 30 days of the diagnosis. A reporter or the reporter’s designee shall report a previously diagnosed individual to the department within 30 days of the individual’s first patient or client encounter with the reporter or 30 days of the effective date of these regulations, whichever is later.

General Authority: NDCC 23-01-41, 23-01-03, 23-01-04

Law Implemented: NDCC 23-01-41