

April 26, 2022

Jill Grossman, Counsel  
North Dakota Legislative Council  
State Capitol  
Bismarck, ND 58505

RE: Proposed Amendments to N.D. Admin. Code chapter 75-02-07.1  
Ratesetting for Basic Care Facilities

Dear Ms. Grossman:

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 Tuesday, June 14, 2022, 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,



Jonathan Alm  
Legal Advisory Unit

JA/rv

cc: Caprice Knapp, Medical Services  
LeeAnn Thiel, Medical Services

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](http://www.nd.gov/dhs)

NOTICE OF INTENT TO AMEND  
ADMINISTRATIVE RULES RELATING TO  
N.D.A.C. CHAPTER 75-02-07.1  
RATESETTING FOR BASIC CARE FACILITIES

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 75-02-07.1 at 1:30 p.m. on Tuesday, June 14, 2022, 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 75-02-07.1, Ratesetting for Basic Care Facilities, are necessary to standardize the cost reporting time period and simplify the ratesetting process.

The proposed changes are as follows:

**Section 75-02-07.1-01** is amended to revise the definition of “depreciation guidelines” to use a more current version of the American Hospital Association’s depreciation guidelines. The section amends the definition of “report year” to reflect the change to a consistent reporting period for all providers, from July first through June thirtieth of the year immediately preceding the rate year.

**Section 75-02-07.1-02** is amended to update the due date of the cost report and supporting documentation, which reflects the change to a uniform report year period. The option to elect a different report year was removed to reflect the change to a consistent report year for all providers.

**Section 75-02-07.1-14** is amended to revise the top management compensation limit to use the previous year’s top compensation increased by the consumer price index for all urban consumers.

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 human service zones and at human service centers. Copies of the proposed rules and the regulatory

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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 Friday, June 24, 2022.

**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 26th day of April, 2022.

April 26, 2022

RE: Proposed amendments to N.D. Admin. Code chapter 75-02-07.1  
Ratesetting for Basic Care Facilities

TO WHOM IT MAY CONCERN:

The Department of Human Services is proposing amendments to N.D. Admin. Code chapter 75-02-07.1, Ratesetting for Basic Care Facilities. 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 Friday, June 24, 2022.

The department has scheduled an oral hearing for Tuesday, June 14, 2022. 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/rv

Enclosures

cc: Jill Grossman, Legislative Council  
Caprice Knapp, Medical Services  
LeeAnn Thiel, Medical Services

**EXECUTIVE OFFICE**

GOVERNOR  
Doug Burgum

EXECUTIVE DIRECTOR  
Christopher Jones