



AUG 19 2013
Legal Advisory Unit

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Jack Dalrymple, Governor
Maggie D. Anderson, Interim Executive Director

August 16, 2013

Mr. John Walstad, Code Revisor
North Dakota Legislative Council
State Capitol
Bismarck, ND 58505

RE: Proposed Amendments to N.D. Admin. Code Chapter 75-03-14
Family Foster Care Homes

Dear Mr. Walstad:

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 September 24, 2013, beginning at 3:30 p.m. and continuing until 5:00 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 that reads "Julie Leer". The signature is cursive and fluid.

Julie Leer
Legal Advisory Unit

JL/rs

Cc: Kelsey Bless, CFS

Enclosures

NOTICE OF INTENT TO AMEND
ADMINISTRATIVE RULES RELATING TO
N.D.A.C. CHAPTER 75-03-14
FAMILY FOSTER CARE HOMES

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 75-03-14 at 3:30 p.m. on Tuesday, September 24, 2013, 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 75-03-14, Family Foster Care Homes, are to ensure compliance with federal enactments.

The proposed changes are as follows:

Section 75-03-14-01 is amended to add a definition of "background" check and to remove redundant language.

Section 75-03-14-02 is amended to clarify language.

Section 75-03-14-03 to refine the requirements for the use of basement sleeping rooms, the requirements for certain doors, and to clarify language.

Section 75-03-14-04 is amended to clarify expectations for a non-foster child living in a family foster home.

Section 75-03-14-04.1 is amended to clarify language and to allow the department to consider an applicant, provider, or household member to be rehabilitated after having been convicted of certain crimes.

Section 75-03-14-05 is amended to clarify language and to identify prohibited forms of punishment for children in foster care.

Section 75-03-14-06 is amended to clarify language.

Section 75-03-14-07 is amended to ensure compliance with background check requirements found in federal law.

Section 75-03-14-08 is amended to be consistent with requirements found in federal law.

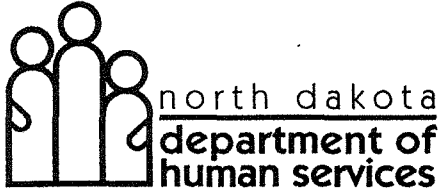
Section 75-03-14-09 is created to allow certain provisions of chapter 75-03-14 to be waived for a proposed foster parent who is a relative of the foster child. This is to ensure compliance with requirements found in federal law.

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 Friday, October 4, 2013.

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 16th day of August, 2013.



Jack Dalrymple, Governor
Maggie D. Anderson, Interim Executive Director

August 16, 2013

RE: Proposed Amendments to N.D. Admin. Code Chapter 75-03-14
Family Foster Care Homes

TO WHOM IT MAY CONCERN:

The Department of Human Services is proposing amendments to N.D. Admin. Code chapter 75-03-14, Family Foster Care Homes. 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 October 4, 2013.

The department has scheduled an oral hearing for September 24, 2013. 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 that reads "Maggie D. Anderson".

Maggie D. Anderson,
Executive Director

MDA/rs

Attachments

Cc: John Walstad, Legislative Council
Kelsey Bless, CFS