



NOV 02 2015  
Legal Advisory Unit

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Jack Dalrymple, Governor  
Maggie D. Anderson, Executive Director

November 2, 2015

Vonette Richter, Assistant Code Revisor  
North Dakota Legislative Council  
State Capitol  
Bismarck, ND 58505

RE: Proposed Amendments to N.D. Admin. Code Chapter 75-03-25  
Ombudsman Program

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 8, 2015, 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".

Julie Leer  
Legal Advisory Unit

JL/rs

cc: Karla Backman, Aging Services

Enclosures

Jack Dalrymple, Governor  
Maggie D. Anderson, Executive Director

NOTICE OF INTENT TO AMEND  
ADMINISTRATIVE RULES RELATING TO  
N.D.A.C. CHAPTER 75-03-25  
OMBUDSMAN PROGRAM

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 75-03-25 at 3:30 p.m. on Tuesday, December 8, 2015, 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 75-03-25, Ombudsman Program, are necessary, in part, to comply with changes made by the Sixty-fourth Legislative Assembly in 2015 Senate Bill No. 2065.

The proposed changes are as follows:

**Section 75-03-25-01** is amended to change “community ombudsman” to volunteer ombudsman; to update the definitions of “complaint” and “immediate family”; and to remove definitions of “designated representative” and “second degree of kinship”.

**Section 75-03-25-02** is repealed as the State Long Term Care Ombudsman position is no longer an appointed position.

**Section 75-03-25-03** is amended to match the changes in defined terms in Section 75-03-25-01; to correct a spelling error; and to update the language.

**Section 75-03-25-04** is repealed because local ombudsmen are no longer appointed positions.

**Section 75-03-25-05** is amended to match the changes in defined terms in Section 75-03-25-01, and to update the language..

**Section 75-03-25-06** is amended to match the changes in defined terms in Section 75-03-25-01, and to update the language to ensure consistency with the federal final rule.

**Section 75-03-25-07** is amended to match the changes in defined terms in Section 75-03-25-01, and to address changes made in 2015 Senate Bill No. 2065.

**Section 75-03-25-08** is amended to match the changes in defined terms in Section 75-03-25-01.

**Section 75-03-25-09** is amended to match the changes in defined terms in Section 75-03-25-01, and to address changes made in 2015 Senate Bill No. 2065.

**Section 75-03-25-10** is amended to match the changes in defined terms in Section 75-03-25-01, and to update the language to ensure consistency with the federal final rule.

**Section 75-03-25-11** is amended to clarify language, and to update the language to ensure consistency with the federal final rule.

**Section 75-03-25-14** is amended to address changes made in 2015 Senate Bill No. 2065.

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, December 18, 2015.

**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 2nd day of November, 2015.



Jack Dalrymple, Governor  
Maggie D. Anderson, Executive Director

November 2, 2015

RE: Proposed Amendments to N.D. Admin. Code Chapter 75-03-25  
Ombudsman Program

TO WHOM IT MAY CONCERN:

The Department of Human Services is proposing amendments to N.D. Admin. Code chapter 75-03-25, Ombudsman Program. 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 18, 2015.

The department has scheduled an oral hearing for December 8, 2015. 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,

  
Maggie D. Anderson,  
Executive Director

MDA/rs

Attachments

cc: Vonette Richter, Legislative Council  
Karla Backman, Aging Services