



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

November 8, 2013

NOV 08 2013

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

RE: Proposed Amendments to N.D. Admin. Code Chapter 75-02-01.3
Child Care Assistance

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 December 16, 2013, beginning at 10:00 a.m. and continuing until 11:30 a.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: Carol Cartledge, Economic Assistance

Enclosures

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

NOTICE OF INTENT TO AMEND
ADMINISTRATIVE RULES RELATING TO
N.D.A.C. CHAPTER 75-02-01.3
CHILD CARE ASSISTANCE

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 75-02-01.3 at 10:00 a.m. on Monday, December 16, 2013, in Bismarck, N.D. in Room 212, located on the second floor of the Judicial Wing of the State Capitol.

The proposed amendments to N.D. Admin. Code chapter 75-02-01.3, Child Care Assistance, are needed to address changes in practice, to clarify language and to comply with federal recommendations.

The proposed changes are as follows:

Section 75-02-01.3-01 is amended to add a definition of "applicant".

Section 75-02-01.3-02 is amended to add language and clarify the notification process.

Section 75-02-01.3-03 is amended to clarify language and to revise the circumstances under which the department closes a child care assistance case.

Section 75-02-01.3-05 is amended to add language and clarify how the department obtains and considers a relative provider applicant's or approved relative provider's background check information and clarify the notification process.

Section 75-02-01.3-06 is amended to remove redundant language.

Section 75-02-01.3-07 is amended to clarify language and to allow the department to consider other forms of information to determine a child care assistance unit's earned income from self-employment.

Section 75-02-01.3-08 is amended to clarify language, remove obsolete language and to remove work study payments, and the third and fifth paychecks as disregarded income.

Section 75-02-01.3-09 is amended to clarify the deduction for child support and spousal support is based on a court order.

Section 75-02-01.3-10 is amended to clarify language by ensuring relative providers, registrant or in-home providers, holder of self-declaration, and licensed providers are covered.

Section 75-02-01.3-12 is amended to add notification language and change the disqualification in penalties for the first offense to six months and change the second offense to one year to ensure compliance with federal recommendations.

Section 75-02-01.3-13 is amended to clarify and add language and clarify the notification process.

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 Thursday, December 26, 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 8th day of November, 2013.



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

November 8, 2013

RE: Proposed Amendments to N.D. Admin. Code Chapter 75-02-01.3
Child Care Assistance

TO WHOM IT MAY CONCERN:

The Department of Human Services is proposing amendments to N.D. Admin. Code chapter 75-02-01.3, Child Care Assistance. 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 26, 2013.

The department has scheduled an oral hearing for December 16, 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,


Maggie D. Anderson,
Executive Director

MDA/rs

Attachments

Cc: John Walstad, Legislative Council
Carol Cartledge, Economic Assistance