



NOV 15 2013

Legal Advisory Unit

(701) 328-2311
Fax (701) 328-2173
Toll Free (800) 472-2622
ND Relay TTY (800) 366-6888

Jack Dalrymple, Governor
Maggie D. Anderson, Executive Director

November 15, 2013

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

RE: Proposed Creation of N.D. Admin. Code Chapter 75-09.1-10
Licensing and Treatment Standards for Opioid Treatment Programs

Dear Mr. Walstad:

Enclosed for filing in the office of the Legislative Council is the Notice of Intent to Create 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 26, 2013, 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,

A handwritten signature in blue ink that reads "Julie Leer".

Julie Leer
Legal Advisory Unit

JL/rs

cc: JoAnne Hoesel, MHSA

Enclosures

NOTICE OF INTENT TO CREATE
ADMINISTRATIVE RULES RELATING TO
N.D.A.C. CHAPTER 75-09.1-10
LICENSING AND TREATMENT STANDARDS FOR OPIOID TREATMENT
PROGRAMS

TAKE NOTICE that the North Dakota Department of Human Services will hold a public hearing to address proposed creation of N.D. Admin. Code chapter 75-09.1-10 at 1:30 p.m. on Thursday, December 26, 2013, in Bismarck, N.D. in Room 210, located on the second floor of the Judicial Wing of the State Capitol.

The proposed creation of N.D. Admin. Code chapter 75-09.1-10, Licensing and Treatment Standards for Opioid Treatment Programs, are necessary to comply 2013 House Bill No. 1101, which authorized the Department of Human Services to license opioid treatment programs.

The proposed changes are as follows:

Chapter 75-09.1-10 is created to establish the licensing rules for opioid treatment programs and contains the following sections:

- 75-09.1-10-01** Definitions
- 75-09.1-10-02** Requirements for Opioid Treatment Program License – Application
- 75-09.1-10-03** Denial of Application for Opioid Treatment Program License
- 75-09.1-10-04** Issuing License to Opioid Treatment Program
- 75-09.1-10-05** Suspension and Revocation of License – Appeal
- 75-09.1-10-06** Subsequent Licensing Inspection and Review
- 75-09.1-10-07** Opioid Treatment Program Requirements
- 75-09.1-10-08** Care of Adolescents in Opioid Treatment Program
- 75-09.1-10-09** Treatment
- 75-09.1-10-10** Opioid Treatment Program Administrative Organization and Responsibilities
- 75-09.1-10-11** Facility and Clinical Environment
- 75-09.1-10-12** Risk Management
- 75-09.1-10-13** Opioid Treatment Program Closure
- 75-09.1-10-14** Diversion Control
- 75-09.1-10-15** Medical and Behavioral Standards

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 Monday, January 6, 2014.

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 15th day of November , 2013.



Legal Advisory Unit

(701) 328-2311
Fax (701) 328-2173
Toll Free (800) 472-2622
ND Relay TTY (800) 366-6888

Jack Dalrymple, Governor
Maggie D. Anderson, Executive Director

November 15, 2013

RE: Proposed Creation of N.D. Admin. Code Chapter 75-09.1-10
Licensing and Treatment Standards for Opioid Treatment Programs

TO WHOM IT MAY CONCERN:

The Department of Human Services is proposing the creation of N.D. Admin. Code chapter 75-09.1-10, Licensing and Treatment Standards for Opioid Treatment Programs. 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 January 6, 2014.

The department has scheduled an oral hearing for December 26, 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
JoAnne Hoesel, MHSA