# ARTICLE 75-05
# HUMAN SERVICE CENTER LICENSURE STANDARDS


Chapter
75-05-00.1 Human Service Center Licensure
75-05-01 Administration and Center Management
75-05-02 Physical Plant Management [Repealed]
75-05-03 Clinical Services
75-05-04 Client Management
75-05-05 Specialized Services [Repealed]
75-05-06 Human Service Center Essential Client Services and Eligibility [Repealed]


## CHAPTER 75-05-00.1
## HUMAN SERVICE CENTER LICENSURE


Section
75-05-00.1-01 Definitions
75-05-00.1-02 License Required
75-05-00.1-03 Department to Conduct Human Service Center Licensure Reviews
75-05-00.1-04 Designation of Chairperson of Licensure Team
75-05-00.1-05 Licensure Team
75-05-00.1-06 Programs and Services Reviewed
75-05-00.1-07 Licensure Team Reporting Procedures
75-05-00.1-08 Issuance of Licensure Team Report to the Human Service Center
75-05-00.1-09 Action on Conditions
75-05-00.1-10 Provisional or Restricted License
75-05-00.1-11 Licensure Team Review Followup
75-05-00.1-12 Licensure
75-05-00.1-13 Licensure Report Maintenance


### 75-05-00.1-01. Definitions.

As used in this article:

1. "Condition" means that the human service center does not meet a standard contained in this article.

2. "Department" means the department of human services.

3. "Recommendation" means a suggestion offered by the licensure team to strengthen and enhance the programs and services offered by the center. Recommendations do not have to be satisfied by the human service centers to complete licensure.

4. "Standard" means a requirement for licensure that may not be waived by the department.

**History:** Effective February 1, 1996.
**General Authority:** NDCC 50-06-05.2
**Law Implemented:** NDCC 50-06-05.2

### 75-05-00.1-02. License required.

A human service center may not operate without first having obtained a license issued by the department under North Dakota Century Code section 50-06-05.2.

**History:** Effective February 1, 1996.
**General Authority:** NDCC 50-06-05.2
**Law Implemented:** NDCC 50-06-05.2

**75-05-00.1-03. Department to conduct human service center licensure reviews.**

The department shall conduct a review of departmental licensure standards, procedures, and rules prior to the departmental biennial licensure review of the human service center.

**History:** Effective February 1, 1996; amended effective January 1, 2009.
**General Authority:** NDCC 50-06-05.2
**Law Implemented:** NDCC 50-06-05.2

**75-05-00.1-04. Designation of chairperson of licensure team.**

The executive director of the department shall designate an individual from within the department to serve as chairperson of the licensure team that evaluates the regional human service centers.

**History:** Effective February 1, 1996.
**General Authority:** NDCC 50-06-05.2
**Law Implemented:** NDCC 50-06-05.2

**75-05-00.1-05. Licensure team.**

The chairperson designated under section 75-05-00.1-04 shall develop a licensure team to conduct onsite reviews at each regional human service center. The licensure team must be composed, at a minimum, of the following individuals:

1. A psychologist or a psychiatrist;
2. A psychiatric nurse, clinical nurse specialist, nurse practitioner, or registered nurse;
3. Two representatives from the behavioral health division, one representing mental health services and one representing substance use disorder services; and
4. A regional human service center consumer or a member of the consumer's family.

**History:** Effective February 1, 1996; amended effective January 1, 2009; July 1, 2020.
**General Authority:** NDCC 50-06-05.2
**Law Implemented:** NDCC 50-06-05.2

**75-05-00.1-06. Programs and services reviewed.**

The licensure team shall review the following major programs and services:

1. Clinical services;
2. Client management; and
3. Administration and center management.

**History:** Effective February 1, 1996; amended effective January 1, 2009; July 1, 2020.
**General Authority:** NDCC 50-06-05.2
**Law Implemented:** NDCC 50-06-05.2

**75-05-00.1-07. Licensure team reporting procedures.**

At the conclusion of the review, each team member shall write a report on the programs and services reviewed. Each report must contain:

1. A description of programs and services reviewed;
2. Strengths;

3. Concerns;

4. Conditions; and

5. Recommendations.

**History:** Effective February 1, 1996; amended effective January 1, 2009; July 1, 2020.
**General Authority:** NDCC 50-06-05.2
**Law Implemented:** NDCC 50-06-05.2

**75-05-00.1-08. Issuance of licensure team report to the human service center.**

Within thirty days after the site visit to the human service center, the licensure team report of the review must be sent to the regional director.

**History:** Effective February 1, 1996.
**General Authority:** NDCC 50-06-05.2
**Law Implemented:** NDCC 50-06-05.2

**75-05-00.1-09. Action on conditions.**

1. A human service center receiving a condition shall submit to the licensure team a corrective action plan within thirty days from receipt identifying how the program will become compliant with the standards contained in this article; and

2. The human service center shall have sixty days after the corrective action plan is submitted to implement the actions to become compliant with the standards contained in this article.

**History:** Effective February 1, 1996; amended effective July 1, 2020.
**General Authority:** NDCC 50-06-05.2
**Law Implemented:** NDCC 50-06-05.2

**75-05-00.1-10. Provisional or restricted license.**

If the human service center, for reasons beyond its control, is unable to satisfy the cited condition, or if the nature of the condition warrants, a provisional or restricted license may be issued. A provisional license allows the human service center to operate while the center makes changes to its operation to satisfy human service center licensing standards. The provisional license may be in effect for a maximum of twelve months. A restricted license allows the human service center to operate for certain functions, but prohibits the center from operating for other functions when those functions do not meet human service center licensing standards and a provisional license would not give the center sufficient opportunity to meet those standards. A restricted license is issued for the same period of time as a nonrestricted license for the functions for which the human service center will be operating. A restricted license is in effect for the period specified in the license not to exceed twenty-four months. Prior to removing a restriction on a license and issuing an unrestricted license, the department may conduct an onsite review to determine that the licensee is in full compliance with the standards contained in this article.

**History:** Effective February 1, 1996; amended effective January 1, 2009; July 1, 2020.
**General Authority:** NDCC 50-06-05.2
**Law Implemented:** NDCC 50-06-05.2

**75-05-00.1-11. Licensure team review followup.**

The licensure team shall request documentation or conduct an onsite review, or both, to ensure the program has implemented their corrective action plan.

**History:** Effective February 1, 1996; amended effective January 1, 2009; July 1, 2020.

**General Authority:** NDCC 50-06-05.2
**Law Implemented:** NDCC 50-06-05.2

**75-05-00.1-12. Licensure.**

The department shall issue a license when a human service center has met all of the licensure standards outlined in this article.

**History:** Effective February 1, 1996.
**General Authority:** NDCC 50-06-05.2
**Law Implemented:** NDCC 50-06-05.2

**75-05-00.1-13. Licensure report maintenance.**

All reports of the licensure reviews must be retained on file in the department's central office. Individual site followup reviews must also be retained.

**History:** Effective February 1, 1996.
**General Authority:** NDCC 50-06-05.2
**Law Implemented:** NDCC 50-06-05.2