

**ARTICLE 86-03**  
**RULES AND REGULATIONS FOR ADMISSION AND RESIDENCY AT THE NORTH**  
**DAKOTA VETERANS' HOME**

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**CHAPTER 86-03-01**  
**ADMISSIONS - APPLICATION, ELIGIBILITY REQUIREMENTS, BOARD OF, DENIAL OF,**  
**ORIENTATION, READMISSION**

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**86-03-01-01. Application for admission - Form, content, approval.**

1. Application will be submitted to the North Dakota veterans' home basic or skilled care unit.
  - a. If a member of the board of admissions determines that insufficient information is available to properly process the application, an authorization to disclose information form shall be sent to the applicant to be signed and returned so that additional specific information may be obtained.
  - b. A verification of residency must be signed prior to admission.
2. The completed application for residency, together with the copy of DD form 214 (discharge paper) or certificate of service from the last period of service in the armed forces, will be forwarded to the admissions coordinator who shall submit the application and discharge papers to the board of admissions for action. Upon approval, the applicant may be admitted for residency.
3. An applicant whose application for admission has been approved shall contact the admissions coordinator within thirty days of receipt of the applicant's acceptance letter to schedule admission to the North Dakota veterans' home. An admission date will be scheduled Monday through Friday, holidays excluded. Special arrangements must be made if the applicant wishes to report on any other day. Applicants whose applications for admission have been approved, and who fail to contact the admissions coordinator within thirty days of the date of their acceptance letter shall be denied admission until another medical assessment has been submitted and approved or an extension has been granted by the North Dakota veterans' home administrator or the administrator's designee.

4. Admission to the basic care facility must be according to the following list of priorities, so long as the individual meets the admissions requirements:
  - a. Residents of the North Dakota veterans' home skilled care unit in need of basic care.
  - b. Veterans with service-connected disability or complications from a service-connected disability.
  - c. American ex-prisoners of war.
  - d. Discharged North Dakota national guard members who became disabled in the line of duty.
  - e. Veterans.
  - f. Spouses and surviving spouses of veterans.
5. Admissions to the skilled nursing facility must be according to the following list of priorities, so long as the individual meets admission requirements:
  - a. Skilled nursing residents who have been medically discharged.
  - b. Residents of North Dakota veterans' home basic care unit in need of skilled nursing care.
  - c. Former residents of North Dakota veterans' home basic care unit who have been medically discharged and placed into an outside skilled nursing home.
  - d. Veterans with a service-connected disability or complications from a service-connected disability.
  - e. American ex-prisoners of war.
  - f. Discharged North Dakota national guard members who became disabled in the line of duty.
  - g. Spouses and surviving spouses of veterans.

**History:** Effective May 1, 1987; amended effective April 1, 2008.

**General Authority:** NDCC 28-32-02

**Law Implemented:** NDCC 37-15-03, 37-15-10, 37-15-10.1

#### **86-03-01-02. Admission eligibility requirements.**

1. An applicant must come within the definition of "basic care" as defined in North Dakota Century Code section 23-09.3-01 to be eligible for admission to the basic care unit of the home. No applicant shall be considered eligible for residency whose last period of service in the armed forces was terminated under dishonorable conditions.
2. No applicant may be admitted to the home who has been convicted of a felony or a crime involving moral turpitude, without producing sufficient evidence of subsequent good conduct and reformation of character so as to be satisfactory to the board of admissions. An applicant who has a history of chronic alcoholism or drug addiction may be accepted only if the problem is under control as determined by a home physician or addiction counselor and assurance is received from the applicant that prescribed medical advice shall be followed after admission to the home. Stipulations for admission shall be contained in the acceptance letter.

**History:** Effective May 1, 1987; amended effective April 1, 2008.

**General Authority:** NDCC 28-32-02

**Law Implemented:** NDCC 37-15-00.1, 37-15-02, 37-15-03

**86-03-01-03. Board of admissions - Composition, duties.**

1. The board of admissions shall consist of administration, social services, nursing, and an individual from a certified medical field.
2. Board of admissions members will make their decision on the merits of the submitted applications.
3. Each board member, or the administrator's designee in the administrator's absence, with the exception of the administrator, shall have one vote to accept or reject the application. If a tie vote occurs, or an application is disapproved, the administrator, or designee in the administrator's absence, shall call a meeting of the board and the reasons for denial shall be reviewed. The administrator or designee shall vote to break the tie, request additional information if sufficient information is not available to make a decision, or write a letter of denial to the applicant.
4. Processing of an application shall be completed within ten working days of receipt; provided the application is completed properly, and sufficient medical and financial information is available to make a determination.

**History:** Effective May 1, 1987; amended effective April 1, 2008.

**General Authority:** NDCC 28-32-02

**Law Implemented:** NDCC 37-15-03, 37-18.1-03(5)

**86-03-01-04. Denial of admission - Appeal.**

1. The applicant must be notified, in writing, as to the reason or reasons for denial of admission to the home. The applicant must also be given notice of the right to appeal the decision, and that any appeal must be in writing and received by the administrator within thirty days of the notice of denial of admission.
2. Any notice of appeal received by the administrator shall be reviewed and forwarded to the chairman of the North Dakota veterans' home governing board. All documents submitted with the appellant's application for admission must also be forwarded to the chairman. The North Dakota veterans' home governing board must give the appellant at least forty-five days' notice as to the time, date, and place of the hearing of appeal. This notice must be sent by certified mail return receipt requested. If the appellant is not satisfied with the decision of the North Dakota veterans' home governing board, the appellant may appeal to a court under the procedures outlined in the Administrative Agencies Practice Act as set forth in North Dakota Century Code chapter 28-32.

**History:** Effective May 1, 1987; amended effective April 1, 2008.

**General Authority:** NDCC 28-32-02

**Law Implemented:** NDCC 28-32-05, 37-15-03, 37-15-10(3), 37-18.1-03(5)

**86-03-01-05. Admission orientation.**

Repealed effective April 1, 2008.

**86-03-01-06. Readmission requirements.**

A former resident may be readmitted if a new application has been submitted and approved by the board of admissions and all money owed to the home by the former resident has been paid or arrangements made for payment and approved by the board of admissions.

**History:** Effective May 1, 1987; amended effective April 1, 2008.

**General Authority:** NDCC 28-32-02

**Law Implemented:** NDCC 37-15-03, 37-15-10(3), 37-18.1-03(5)