



**Legal Advisory Unit**

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John Hoeven, Governor  
Carol K. Olson, Executive Director

November 2, 2009

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

RE: Proposed Creation of 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 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 9, 2009, 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/ca

Enclosures

Cc: Carol Cartledge, Economic Assistance



John Hoeven, Governor  
Carol K. Olson, Executive Director

NOTICE OF INTENT TO CREATE  
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 3:30 p.m. on Wednesday, December 9, 2009, in Bismarck, N.D. in the AV Room – Room 210, located on the second floor of the Judicial Wing of the State Capitol.

The proposed creation of N.D. Admin. Code Chapter 75-02-01.3, Child Care Assistance, is necessary to comply with the provisions of 2009 House Bill No. 1090. The proposed chapter will have an impact on the regulated community in excess of \$50,000.

**Chapter 75-02-01.3**, is created to comply with North Dakota Century Code chapter 50-33 as created and enacted by 2009 House Bill No. 1090. This chapter is created to set forth the administration of the Child Care Assistance Program and includes rules on decision and notice, closing of a case, available benefits, background check information, payments to providers, treatment of income, disregarded income, deduction for child support and spousal support, parental choice of caretaker or provider, intentional program violations and penalties, and reconsideration and appeal requests.

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, December 21, 2009.

**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 2<sup>nd</sup> day of November, 2009.