



JAN 06 2010

Legal Advisory Unit

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John Hoeven, Governor
Carol K. Olson, Executive Director

MEMORANDUM

TO: Mr. John Walstad, Code Revisor
North Dakota Legislative Council

FROM: Julie Leer, Legal Advisory Unit *JL*

SUBJECT: Interim Final Rules Effective January 1, 2010
N.D.A.C. Section 75-02-10-05
Eligibility Criteria for Aid to Vulnerable Aged, Blind, and Disabled Individuals

DATE: January 6, 2010

Attached please find a new Notice of Intent to Amend for the above referenced emergency rules.

Please replace the notice that was attached to your December 30, 2009, letter with this new notice. The last sentence of the second paragraph on the new notice was changed from, "The proposed amendments are anticipated to have an impact on the regulated community in excess of \$50,000." to "The proposed amendments are not anticipated to have an impact on the regulated community in excess of \$50,000."

Thank you.

Attachments



John Hoeven, Governor
Carol K. Olson, Executive Director

NOTICE OF INTENT TO AMEND
ADMINISTRATIVE RULES RELATING TO
N.D.A.C. SECTION 75-02-10-05
ELIGIBILITY CRITERIA FOR AID TO VULNERABLE AGED,
BLIND, AND DISABLED INDIVIDUALS

TAKE NOTICE that the North Dakota Department of Human Services will hold a public hearing to address proposed amendments to N.D. Admin. Code section 75-02-10-05 at 1:30 p.m. on Thursday, February 11, 2010, 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 amendments to N.D. Admin. Code section 75-02-10-05, Eligibility Criteria for Aid to Vulnerable Aged, Blind, and Disabled Individuals, are necessary to comply with an appropriations measure passed during the 2009 legislative session, as directed by House Bill No. 1012. The proposed amendments are not anticipated to have an impact on the regulated community in excess of \$50,000.

Section 75-02-10-05, is amended to reflect the increase in the personal needs allowance for individuals in basic care facilities from sixty dollars to eighty-five dollars.

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, February 22, 2010.

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 30th day of December, 2009.



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John Hoeven, Governor
Carol K. Olson, Executive Director

January 5, 2010

RE: Interim Final Rules Effective January 1, 2010
N.D. Admin. Code Section 75-02-10-05
Eligibility Criteria for Aid to Vulnerable Aged, Blind, and Disabled Individuals

TO WHOM IT MAY CONCERN:

The Department of Human Services is proposing interim final rules effective January 1, 2010 regarding N.D. Admin. Code section 75-02-10-05, Eligibility Criteria for Aid to Vulnerable Aged, Blind, and Disabled Individuals. The department has adopted procedures to assure public input into the formulation of such rules prior to their final adoption.

In conformity with those procedures, we are providing you with a copy of the interim final rules and are requesting that you provide any written data, views, or arguments no later than 5:00 p.m. on February 22, 2010.

The department has scheduled an oral hearing on February 11, 2010. 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,

A handwritten signature in black ink that reads "Carol K. Olson". The signature is written in a cursive style.

Carol K. Olson,
Executive Director

CKO/ca

Attachments

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



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John Hoeven, Governor
Carol K. Olson, Executive Director

January 5, 2010

RE: Interim Final Rules Effective January 1, 2010
N.D. Admin. Code Chapter 75-02-06
Ratesetting for Nursing Home Care

TO WHOM IT MAY CONCERN:

The Department of Human Services is proposing interim final rules effective January 1, 2010 regarding N.D. Admin. Code chapter 75-02-06, Ratesetting for Nursing Home Care. The department has adopted procedures to assure public input into the formulation of such rules prior to their final adoption.

In conformity with those procedures, we are providing you with a copy of the interim final rules and are requesting that you provide any written data, views, or arguments no later than 5:00 p.m. on February 22, 2010.

The department has scheduled an oral hearing on February 11, 2010. 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,

A handwritten signature in black ink that reads "Carol K. Olson". The signature is written in a cursive, flowing style.

Carol K. Olson,
Executive Director

CKO/ca

Attachments

Cc: John Walstad, Legislative Council
LeeAnn Thiel, Medical Services