

AUG 25 2011



**NORTH DAKOTA**  
DEPARTMENT *of* HEALTH

OFFICE OF STATE HEALTH OFFICER  
600 East Boulevard Avenue, Dept. 301  
Bismarck, N.D. 58505-0200  
www.ndhealth.gov



August 24, 2011

Mr. John Walstad  
Code Revisor  
North Dakota Legislative Council  
600 East Boulevard Avenue  
Bismarck, ND 58505-0360

RE: NDAC 33-06-04-11 Vaccines

Dear Mr. Walstad:

Pursuant to NDCC 28-32-03 and Senate Bill 2276, we are submitting the emergency rules to Legislative Council for the reasons stated in our letter to Governor Dalrymple on August 18, 2011 and in the Governor's response to me on August 22, 2011.

The Department will expedite the final adoption of these rules through the rulemaking process.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry L. Dwelle".

Terry L. Dwelle, MD, MPHTM, FAAP, CPH  
State Health Officer

TLD:irr  
Enc.

NOTICE OF INTENT TO AMEND ADMINISTRATIVE RULES

**TAKE NOTICE** that the North Dakota Department of Health will hold a public hearing to address proposed amendments to N.D. Administrative Code chapter 33-06-04-11, Vaccines. The hearing will be held at 1:00 p.m. on Thursday, October 6, 2011, in Room 212, Judicial Wing, 600 East Boulevard Avenue, Bismarck, ND. The purpose of the proposed amendments is to change the state-supplied, non-Vaccines For Children vaccine administration fee cap. The amendment is not expected to have an impact on the regulated community in excess of \$50,000. No taking of real property is involved in these rulemaking actions.

The proposed amendments may be reviewed at the Division of Disease Control, 2635 East Main, P.O. Box 5520, Bismarck, ND 58506-5520. A copy of the proposed amendments may be requested by writing the above address or calling 701-328-2378. Written or oral comments on the proposed amendments sent to the above address or phone number and received by October 19, 2011 will be fully considered.

If you plan to attend the public hearing and will need specific facilities or assistance relating to a disability, please contact the Health Department at the above phone number or address at least three days prior to the public hearing.

DATED this 24<sup>th</sup> day of August 2011.

  
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Terry L. Dwelle, MD, State Health Officer  
North Dakota Department of Health