



JUN 13 2012 ^{AL}

Legal Advisory Unit

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Jack Dalrymple, Governor
Carol K. Olson, Executive Director

June 11, 2012

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

RE: Proposed Amendments to N.D. Admin. Code Chapter 75-04-05
Reimbursement for Providers of Services to Individuals with Developmental
Disabilities

Dear Mr. Walstad:

Enclosed for filing in the office of the Legislative Council is the Notice of Intent to Amend 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 Tuesday, July 17, 2012, beginning at 2:30 p.m. and continuing until 4:00 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/cs

Cc: Tina Bay, Developmental Disabilities

Enclosures



Jack Dalrymple, Governor
Carol K. Olson, Executive Director

NOTICE OF INTENT TO AMEND
ADMINISTRATIVE RULES RELATING TO
N.D.A.C. CHAPTER 75-04-05
REIMBURSEMENT FOR PROVIDERS OF SERVICES TO INDIVIDUALS WITH
DEVELOPMENTAL DISABILITIES

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 75-04-05 at 2:30 p.m. on Tuesday, July 17, 2012, in Bismarck, N.D. in the AV Room – Room 212, located on the second floor of the Judicial Wing of the State Capitol.

The proposed amendments to N.D. Admin. Code chapter 75-04-05, Reimbursement for Providers of Services to Individuals with Developmental Disabilities, are necessary to assist providers in appropriately expensing items which exceed the current historical cost limits and to expedite the request for reconsideration process.

The proposed changes are as follows:

Section 75-04-05-01 is amended to reflect the definition of "movable equipment" is moved from another section and placed in the definitions section.

Section 75-04-05-15 is amended to increase historical cost of a depreciable asset from one thousand dollars to five thousand dollars per depreciable asset and to clarify existing language.

Section 75-04-05-09 is amended to include timelines for the Department to respond to a request for reconsideration; to increase the time within which a provider may request reconsideration; to clarify days are calendar days; and to clarify existing language.

Section 75-04-05-24 is amended to reflect the changes to section 75-04-05-01.

The proposed amendments are anticipated to have an impact on the regulated community in excess of \$50,000. No taking of real property is involved in this rulemaking action.

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 Friday, July 27, 2012.

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 12th day of June, 2012.