

CHAPTER 75-03-18.1

CHILD ABUSE AND NEGLECT ASSESSMENT GRIEVANCE PROCEDURE FOR CONDUCT OF THE ASSESSMENT

Section

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75-03-18.1-01. Definitions.

1. "Department" means the North Dakota department of human services.
2. "Director" means the director of the human service zone or the director's designee.
3. "Subject" means a person responsible for the child's welfare as defined by North Dakota Century Code section 50-25.1-02.

History: Effective September 1, 1997; amended effective July 1, 2020.

General Authority: NDCC 50-25.1-05.4

Law Implemented: NDCC 50-25.1-05.4

75-03-18.1-02. Who may file grievance.

Only the subject of a report of suspected child abuse or neglect who is aggrieved by the conduct of the assessment may file a grievance.

History: Effective September 1, 1997.

General Authority: NDCC 50-25.1-05.4

Law Implemented: NDCC 50-25.1-05.4

75-03-18.1-03. Grievance to be in writing - Contents - Time for filing.

1. The grievance must be in writing on forms developed and provided by the department and must contain a succinct statement of the grievant's objections to the conduct of the assessment.
2. A grievance must be filed with the director of the human service zone which provided the written assessment decision notification within ten days of the grievant's receipt of the written decision of the department.

History: Effective September 1, 1997; July 1, 2020.

General Authority: NDCC 50-25.1-05.4

Law Implemented: NDCC 50-25.1-05.4

75-03-18.1-04. Grievance meeting.

1. If a grievance is filed, the human service zone completing the assessment shall schedule a grievance meeting with the subject. This meeting must be held within ten days of the director's receipt of the written grievance. The director shall preside at the grievance meeting.
2. At a maximum, the grievance meeting may include the following participants:
 - a. An individual designated by the department;

- b. Two individuals that the subject determines should be present; and
- c. Up to two human service zone-selected individuals having information concerning the conduct of the assessment.

History: Effective September 1, 1997; amended effective July 1, 2020.

General Authority: NDCC 50-25.1-05.4

Law Implemented: NDCC 50-25.1-05.4

75-03-18.1-05. Grievance meeting decision.

Within ten days after conclusion of the grievance meeting, the director shall prepare a written summary of the meeting and the resolution of the grievance. The written summary must be based on the files, records, and information received at the grievance hearing. The written summary and resolution constitutes the final determination of the grievance. The summary and resolution of the director must be sent to the grievants and the individual designated by the department.

History: Effective September 1, 1997; amended effective July 1, 2020.

General Authority: NDCC 50-25.1-05.4

Law Implemented: NDCC 50-25.1-05.4

75-03-18.1-06. Informal conference.

This chapter must be construed to encourage informal, mutually consensual conferences or discussions between the subject and the assessing agency. Such informal conferences may not suspend or extend the time for filing a grievance under this chapter or for filing an appeal under chapter 75-03-18.

History: Effective September 1, 1997.

General Authority: NDCC 50-25.1-05.4

Law Implemented: NDCC 50-25.1-05.4

75-03-18.1-07. Confidentiality.

Information furnished at the informal conference and grievance meeting is confidential and subject to the provisions of North Dakota Century Code section 50-25.1-11.

History: Effective September 1, 1997.

General Authority: NDCC 50-25.1-05.4

Law Implemented: NDCC 50-25.1-05.4