

July 31, 2024

Liz Fordahl, Counsel
North Dakota Legislative Council
State Capitol
Bismarck, ND 58505

RE: Proposed Amendments to N.D. Admin. Code Chapter 33-06-16
Newborn Screening Program

Dear Ms. Fordahl:

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, September 3, 2024, 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,



Jonathan Alm
Legal Division

JA/rv

cc: Joyal Meyer, Special Health Services
Kimberly Hruby, Special Health Services
Kim Mertz, Healthy & Safe Communities
Dirk Wilke, Executive Director of Public Health Division

Enclosures

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NOTICE OF INTENT TO AMEND
ADMINISTRATIVE RULES RELATING TO
N.D. ADMIN. CODE CHAPTER 33-06-16
NEWBORN SCREENING PROGRAM

TAKE NOTICE that the North Dakota Department of Health and Human Services will hold a public hearing to address proposed amendments to N.D. Admin. Code chapter 33-06-16 at 2:30 p.m. on Tuesday, September 3, 2024, in Bismarck, N.D. in Room 210, located on the second floor of the Judicial Wing of the State Capitol.

The proposed amendments to N.D. Admin. Code chapter 33-06-16, Newborn Screening Program, are as follows:

Section 33-06-16-01 is amended to replace “state health council” with “state health officer” and remove “rule of” in the definitions of “metabolic disease” and “genetic disease” in accordance with North Dakota Century Code section 23-01-03.1, to replace “department” with “department of health and human services”, to add “doula” to the “responsible clinician” definition, and to update the general authority citations.

Section 33-06-16-05 is amended to update when information or testing materials may be disclosed and how information and testing materials should be stored, maintained, and disposed, to replace “department” or “state department of health” with “department of health and human services”, and to update the general authority citations.

The proposed amendments are not 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 human service zones 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 Health and Human Services, State

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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, September 13, 2024.

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 Health and Human Services at the above telephone number or address at least two weeks prior to the hearing.

Dated this 24th day of July, 2024.

July 31, 2024

RE: Proposed Amendments to N.D. Admin. Code chapter 33-06-16
Newborn Screening Program

TO WHOM IT MAY CONCERN:

The Department of Health and Human Services is proposing amendments to N.D. Admin. Code chapter 33-06-16, Newborn Screening Program. The department has adopted procedures to assure public input into the formulation of the rules prior to adoption.

In conformity with those procedures, we are providing you with a copy of the proposed rules and are requesting that you provide any written data, views, or arguments no later than 5:00 p.m. on Friday, September 13, 2024.

The department has scheduled an oral hearing for Tuesday, September 3, 2024. 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 Health and Human Services, State Capitol - Judicial Wing, 600 E. Boulevard Ave., Bismarck, ND 58505-0250.

Sincerely,



Sara Stolt
Deputy Commissioner

SES/rv

Enclosures

cc: Liz Fordahl, Legislative Council
Joyal Meyer, Special Health Services
Kimberly Hruby, Special Health Services
Kim Mertz, Healthy & Safe Communities
Dirk Wilke, Executive Director of Public Health Division

OFFICE OF THE COMMISSIONER

GOVERNOR
Doug Burgum

COMMISSIONER
Wayne Salter