

July 23, 2025

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

RE: Proposed Amendments to N.D. Admin. Code Chapter 75-02-13
Family Paid Caregiver Program

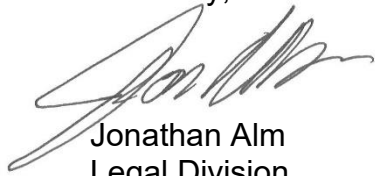
Dear Ms. Fordahl:

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 16, 2025, beginning at 12:00 p.m. and continuing until 1:30 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: Tina Bay, Developmental Disabilities
Jessica Thomasson, Executive Director of Human Services Division

Enclosures

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NOTICE OF INTENT TO AMEND
ADMINISTRATIVE RULES RELATING TO
N.D. ADMIN. CODE CHAPTER 75-02-13
FAMILY PAID CAREGIVER 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 75-02-13 at 12:00 p.m. on Tuesday, September 16, 2025, 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 75-02-13, Family Paid Caregiver Program, are necessary, in part, to comply with the provisions of Senate Bill No. 2305.

The proposed changes are as follows:

Section 75-02-13-03 is amended to remove the numerical cap of how many eligible participants may be supported by the family paid caregiver program, and to add language requiring a family caregiver to attest annually that they will not seek reimbursement for extraordinary care through the family caregiver pilot program on days when other 1915(c) waiver services are provided by department.

Section 75-02-13-04 is amended to provide that an applicant, eligible participant, or legally responsible individual may not appeal if the family caregiver is not a legally responsible individual who lives with and provides daily care to an eligible participant.

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/state-operated behavioral health clinics. 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

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Health and 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, September 26, 2025.

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 23rd day of July, 2025.

July 23, 2025

RE: Proposed Amendments to N.D. Admin. Code chapter 75-02-13
Family Paid Caregiver Program

TO WHOM IT MAY CONCERN:

The Department of Health and Human Services is proposing amendments to N.D. Admin. Code chapter 75-02-13, Family Paid Caregiver 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 26, 2025.

The department has scheduled an oral hearing for Tuesday, September 16, 2025. 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,



J. Patrick Traynor
Interim Commissioner

JPT/rv

Enclosures

cc: Liz Fordahl, Legislative Council
Tina Bay, Developmental Disabilities
Jessica Thomasson, Executive Director of Human Services Division

OFFICE OF THE COMMISSIONER

GOVERNOR
Kelly Armstrong

INTERIM COMMISSIONER
Pat Traynor