

October 31, 2025

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

RE: Proposed Amendments to N.D. Admin. Code Chapter 33-07-03.2  
Nursing Facilities

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 Friday, December 12, 2025, beginning at 1:30 p.m. and continuing until 3:00 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: Bridget Weidner, Health Facilities  
Tim Wiedrich, Health Response & Licensure  
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 33-07-03.2  
NURSING FACILITIES

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 33-07-03.2 at 1:30 p.m. on Friday, December 12, 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 33-07-03.2, Nursing Facilities, are as follows:

**Section 33-07-03.2-20** is amended to update a citation to correct the administrative code section and to replace “must” with “shall”.

**Section 33-07-03.2-21** is amended to broaden the individuals eligible to serve as activity directors by reducing the number of North Dakota state-required training hours from 180 to 90 and to replace “shall” with “must”, “must” with “shall”, and “will” with “shall”.

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 the state-operate 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 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 Monday, December 22, 2025.

**ATTENTION PERSONS WITH DISABILITIES:** If you plan to attend the hearing and will need special facilities or assistance relating to a disability, please

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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 30th day of October, 2025.

October 30, 2025

RE: Proposed Amendments to N.D. Admin. Code chapter 33-07-03.2  
Nursing Facilities

TO WHOM IT MAY CONCERN:

The Department of Health and Human Services is proposing amendments to N.D. Admin. Code chapter 33-07-03.2. 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 Monday, December 22, 2025.

The department has scheduled an oral hearing for Friday, December 12, 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,



Emily O'Brien  
Deputy Commissioner

EMO/rv

Enclosures

cc: Liz Fordahl, Legislative Council  
Bridget Weidner, Health Facilities  
Tim Wiedrich, Health Response & Licensure  
Dirk Wilke, Executive Director of Public Health Division

**OFFICE OF THE COMMISSIONER**

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