



FEB 27 2014

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Jack Dalrymple, Governor  
Maggie D. Anderson, Executive Director

February 27, 2014

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

RE: Proposed Amendments to N.D. Admin. Code Chapter 75-02-02  
Medical Services

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 April 3, 2014, beginning at 10:00 a.m. and continuing until 11:30 a.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/rs

cc: Cindy Sheldon, Medical Services

Enclosures



Jack Dalrymple, Governor  
Maggie D. Anderson, Executive Director

NOTICE OF INTENT TO AMEND  
ADMINISTRATIVE RULES RELATING TO  
N.D.A.C. CHAPTER 75-02-02  
MEDICAL SERVICES

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 75-02-02 at 10:00 a.m. on Thursday, April 3, 2014, in Bismarck, N.D. in Room 210, located on the second floor of the Judicial Wing of the State Capitol.

The proposed changes are as follows:

**Section 75-02-02-08** is amended to identify the type of entity that may provide dental services that may be reimbursed under 42 C.F.R. 440.90.

**Section 75-02-02-10.2** is amended to clarify that ambulatory behavioral health care may be hospital-based or community-based, to update the labels of the different levels of ambulatory behavioral health care to American Society of Addiction Medicine (ASAM) levels, to increase the allowed number of days for payment under ASAM levels II.5 and II.1, and to allow approval of additional days for ASAM I ambulatory behavioral health care services.

**Section 75-02-02-13.1** is amended to clarify travel expenses payable to foster parents of a medicaid-eligible child.

**Section 75-02-02-29** is amended to correct a misspelled word.

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 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 Monday, April 14, 2014.

**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 27th day of February, 2014.



Jack Dalrymple, Governor  
Maggie D. Anderson, Executive Director

February 27, 2014

RE: Proposed Amendments to N.D. Admin. Code Chapter 75-02-02  
Medical Services

TO WHOM IT MAY CONCERN:

The Department of Human Services is proposing amendments to N.D. Admin. Code chapter 75-02-02, Medical Services. 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 April 14, 2014.

The department has scheduled an oral hearing for April 3, 2014. 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 Human Services, State Capitol - Judicial Wing, 600 E. Boulevard Ave., Bismarck, ND 58505-0250.

Sincerely,

  
Maggie D. Anderson,  
Executive Director

MDA/rs

Attachments

cc: John Walstad, Legislative Council  
Cindy Sheldon, Medical Services