

DEC 04 2014



NORTH DAKOTA
DEPARTMENT *of* HEALTH

OFFICE OF STATE HEALTH OFFICER
600 East Boulevard Avenue, Dept. 301
Bismarck, N.D. 58505-0200
www.ndhealth.gov



December 4, 2014

Vonette J. Richter
Assistant Code Revisor
North Dakota Legislative Council
600 East Boulevard Avenue
Bismarck, ND 58505-0360

Dear Ms. Richter:

The Notice of Intent to Adopt, Amend and Repeal Administrative Rules and a copy of the proposed amendments is enclosed as required by N.D.C.C. subsection 28-32-10(1).

Sincerely,

A handwritten signature in black ink, appearing to read "Terry L. Dwelle".

Terry L. Dwelle, MD, MPHTM, FAAP, CPH
State Health Officer

TLD:irr

Enc.

cc: Darleen Bartz

NOTICE OF INTENT TO

ADOPT N.D. ADMINISTRATIVE CODE CHAPTER 33-03-24.2 GENERAL STANDARDS FOR CONSTRUCTION AND EQUIPMENT FOR BASIC CARE FACILITIES, AND SECTION 33-03-24.1-21 OPTIONAL END OF LIFE CARE SERVICE; AMEND SECTIONS 33-07-02.1-03 CODES AND STANDARDS, 33-07-04.2-09 CODES AND STANDARDS, 33-03-24.1-01 DEFINITIONS, 33-03-24.1-03 ISSUANCE OF LICENSE, 33-03-24.1-05 PLANS OF CORRECTION, 33-03-24.1-09 GOVERNING BODY, AND 33-03-24.1-10 FIRE SAFETY; AND REPEAL SECTION 33-03-24.1-22 GENERAL BUILDING REQUIREMENTS

TAKE NOTICE that the North Dakota Department of Health will hold a public hearing to address proposed changes to the N.D. Administrative Code which include a new chapter 33-03-24.2 General Standards for Construction and Equipment for Basic Care Facilities, a new section 33-03-24.1-21 Optional End of Life Care Service; amendments to sections 33-07-02.1-03 Codes and Standards [Nursing Facilities], 33-07-04.2-09 Codes and Standards [Hospitals], 33-03-24.1-01 Definitions [Basic Care Facilities], 33-03-24.1-03 Issuance of License [Basic Care Facilities], 33-03-24.1-05 Plans of Correction [Basic Care Facilities], 33-03-24.1-09 Governing Body [Basic Care Facilities], and 33-03-24.1-10 Fire Safety [Basic Care Facilities]; and Repeal Section 33-03-24.1-22 General Building Requirements [Basic Care Facilities]. The proposed rule changes result in more current standards being applied for construction and remodeling of Basic Care Facilities, Hospitals, and Nursing Facilities in North Dakota, adds definitions to the Basic Care Facilities rules for End of Life Care and Secured Units or Facilities, provides an option for Basic Care Facilities to provide End of Life Care to residents if they meet the specified requirements, and provides for posting of findings related to compliance of Basic Care Facilities on the Department's website. The proposed rules and amendments are not expected to have an impact on the regulatory community in excess of \$50,000.

The Public Hearing will be held at 9:00 am on Wednesday, January 21, 2015, at the AV Room 212, 2nd Floor, Judicial Wing, State Capital Building, 600 East Boulevard Avenue, Bismarck, ND. The proposed rules may be viewed at the Health Resources Section, North Dakota Department of Health, State Capital Building, Judicial Wing, 600 East Boulevard Avenue, Dept. 301, Bismarck, ND 58505-0200. A copy of the proposed rules may be requested in writing at the above address, or by calling 701-328-2352. Also, written comments may be submitted to Darleen Bartz, Health Resources Section, North Dakota Department of Health, 600 East Boulevard Avenue, Dept. 301, Bismarck, ND 58505-0200 until Monday, February 2, 2015.

If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the North Dakota Department of Health at the above phone number or address at least one week prior to the public hearing.

Dated this 2nd day of December, 2014.

Darleen Bartz, PhD, Health Resources Section Chief