CHAPTER 33-03-26
ORGAN TRANSPLANT SUPPORT FUND

Section
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33-03-26-01. Selection process.

Prior to the end of each biennium, the state health officer shall use the following procedure to select the private nonprofit patient-oriented organization incorporated in North Dakota which will administer grant moneys distributed from the organ transplant support fund provided for by the fifty-second legislative assembly in house bill no. 1499. Selection of the initial grant administrator must be made prior to January 1, 1992.

1. At least thirty days before the deadline for receipt of proposals, an advertisement must be placed in each daily newspaper in North Dakota. The advertisement must run at least once per week for two weeks. Facilities within North Dakota which perform transplants and individuals who have contacted the department in writing requesting a copy of the advertisement must also be mailed a copy of the advertisement at least thirty days prior to the deadline for receipt of proposals.

2. The advertisement must include the date for submission of proposals, a general description of the requirements necessary to meet the qualifications set forth in section 33-03-26-02 and the statutory requirements, where a copy of the specific requirements can be obtained, and a summary of the procedure to be used in making the selection.

3. Prior to submitting an advertisement, the state health officer shall establish a selection committee of five people consisting of the state health officer, two North Dakota transplant recipients, a representative selected by the North Dakota insurance commissioner, and a member of the staff of the department of human services who is familiar with the medicaid program.

4. Upon receipt, the selection committee shall review and award from one to ten points for each qualification identified in section 33-03-26-02. The three applicants with the highest total score must be invited for a personal interview with the selection committee.

5. At the personal interview, the selection committee shall again score each applicant on each qualification on a scale from one to ten. The applicant with the highest total score, based only on the personal interview, must be offered the contract to administer grant moneys from the organ transplant support fund. If the offer is refused, the applicant with the second highest score must be offered the contract. If the second highest scoring applicant refuses to enter the contract, it must be offered to the third highest scoring applicant. If all three of the highest scoring applicants refuse to accept, the selection process will be reconducted beginning with a readvertisement. The requirement that the grant administrator be selected prior to the beginning of the biennium does not apply if the selection process must be redone. If the selection process is not completed prior to the end of the biennium and completion of the contract with the existing grant administrator, the existing grant administrator shall continue to administer the grant program in accordance with the existing contract.

History: Effective December 1, 1991.
General Authority: NDCC 23-01-05.1
Law Implemented: NDCC 23-01-05.1

33-03-26-02. Qualifications.

The entity selected as the private nonprofit patient-oriented organization incorporated in North Dakota for administration of grants from the organ transplant support fund must be selected based upon the following:

1. Whether the organization meets the requirements of section 1 of 1991 house bill no. 1499. If the requirements of this subsection are not met, the organization may not be selected.

2. Whether the organization has a volunteer board of directors which has members representing transplant centers, medical social workers, transplant recipients, medical personnel, accountants, and attorneys.

3. Whether the organization is structured to allow for expeditious decisions.

4. Whether the organization is structured to avoid or minimize administrative costs so they do not exceed ten percent of available grant moneys.

5. Whether the organization's bylaws or structure provide that no part of the fund may be used for the benefit of the directors; and provide a mechanism to assure board members who may have a conflict are not able to vote or influence the board's decision on the matter on which a conflict exists.

6. Whether the organization has a demonstrated ability to raise funds from other sources.

7. Whether the organization has corporate goals which focus on patient needs associated with transplants.

8. The length of time the organization has been in existence.

History: Effective December 1, 1991.
General Authority: NDCC 23-01-05.1
Law Implemented: NDCC 23-01-05.1