

**CHAPTER 75-05-05
SPECIALIZED SERVICES**

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**75-05-05-01. Mental retardation-developmental disabilities program -
Case management.**

1. The regional director shall designate a regional mental retardation-developmental disabilities program administrator.
2. The average caseload of the mental retardation-developmental disabilities case management unit must be no more than sixty consumers per case manager.
3. Mental retardation-developmental disabilities case management eligibility must be determined in accordance with chapter 75-04-06. Individuals found eligible for mental retardation-developmental disabilities case management prior to the effective date of chapter 75-04-06 may be maintained in services in accordance with departmental policy.
4. The human service center shall maintain and implement written procedures to provide for:
 - a. Consumer intake and admission;
 - b. Review of consumer rights upon intake and at least annually thereafter for adult consumers;
 - c. Review of 34 CFR 303, part H, parental rights for infants and toddlers, age zero through two years, in accordance with part H requirements;
 - d. Assignment of a mental retardation-developmental disabilities case manager;
 - e. Development of case planning and an individual service plan;
 - f. The completion of program reviews;
 - g. Completion of level of care screening;

- h. Completion of preadmission screening annual resident review;
 - i. A regional referral process to coordinate referrals;
 - j. A regional review team to review out-of-home placement options for children;
 - k. Interregional transfers;
 - l. Case closings;
 - m. Orientation and training of developmental disabilities case managers;
 - n. Periodic record reviews completed within the regional mental retardation-developmental disabilities unit on a regularly scheduled basis for quality assurance; and
 - o. A regional quality improvement planning process.
5. A human service center that operates programs subject to licensure under chapter 75-04-01 shall maintain a current license from the division of developmental disabilities for those programs. Programs in compliance with chapter 75-04-01 are not subject to human service center licensure standards.

History: Effective November 1, 1987; amended effective December 1, 1991; February 1, 1996; January 1, 2009.

General Authority: NDCC 50-06-05.2

Law Implemented: NDCC 50-06-05.2

75-05-05-02. Vocational rehabilitation.

- 1. The regional director shall designate a full-time vocational rehabilitation administrator.
- 2. The vocational rehabilitation administrator shall establish performance goals and objectives.
- 3. The vocational rehabilitation administrator shall follow the appeals procedures outlined in chapter 75-01-03, 75-08-01, and the vocational rehabilitation state plan, and shall inform all consumers or potential consumers of the consumer assistance program and of the right to request mediation.
- 4. Consumer records must be monitored to assure appropriateness of services. At least ten percent of the consumer records must be reviewed annually using the case review schedule. A report of the

results and recommendations of the review must be available to the regional director.

5. The vocational rehabilitation administrator assists in developing the vocational rehabilitation budget and monitors the obligation of funds and bills paid to ensure that funds are appropriately expended or deobligated.

History: Effective November 1, 1987; amended effective December 1, 1991; February 1, 1996; January 1, 2009.

General Authority: NDCC 50-06-05.2

Law Implemented: NDCC 50-06-05.2

75-05-05-03. Supervision and direction of county social services.

1. The regional director, in coordination with the director of children and family services, shall designate a regional representative of county social services programs and any other staff to fulfill the objectives of this chapter.
2. With respect to the supervision and direction of the child welfare programs, the regional representative shall be responsible programmatically to the director of children and family services and shall work in consultation with children and family services staff.
3. With respect to child protective services, the regional representative shall:
 - a. Review all reports of suspected child abuse and neglect in the region and determine if the reports are assessed in accordance with North Dakota Century Code chapter 50-25.1 and North Dakota Administrative Code chapter 75-03-19;
 - b. Determine if the assessment completion timeframes and appropriate child protective services are provided in accordance with North Dakota Administrative Code chapter 75-03-19;
 - c. Provide technical assistance in child protection services;
 - d. Provide final decisions for all child abuse and neglect cases in the region;
 - e. Complete assessments of reports of suspected institutional child abuse or neglect in the region;
 - f. Ensure county access to a multidisciplinary child protection team;
 - g. Ensure that child protection information is entered into the department's database; and

- h. Provide or arrange for an orientation in child protection services for appropriate county social service board personnel.
4. With respect to foster care services for children, the regional representative shall:
- a. Monitor all placements and review all court orders for compliance with the provisions of the Adoption and Safe Families Act of 1997 [Pub. L. 105-89; 42 U.S.C. 620 et seq.];
 - b. Cochair quarterly child and family team meetings in each region and ensure conformance with section 75-03-14-06;
 - c. Review all foster care placements and pending placements and services provided with the appropriate child and family team members;
 - d. Issue approvals or denials for group, therapeutic foster care, and residential foster care placements for the region;
 - e. Review all foster care grievances in the region to determine whether they are carried out in compliance with state law and policy;
 - f. Participate in all regional child and family services reviews and assist in developing all county program improvement plans;
 - g. Approve and arrange for all specialized, therapeutic, and shelter foster care service payments for all appropriate cases in the region;
 - h. Develop and supervise special projects in the region;
 - i. Assist in conducting an annual licensing study of each group home or residential child care facility in the region and forward the study and recommendation to the department;
 - j. Review each family foster care licensing study conducted in the region, approve and issue the license, or deny the license and provide appropriate notice to the applicant;
 - k. Revoke foster care licenses and provide notice to the licensee;
 - l. Provide technical assistance and interpretation of policies, procedures, rules, and laws related to foster care services;
 - m. Provide or arrange for regular inservice training related to foster care issues for county social workers, division of juvenile services

staff, and private agencies related to child and family service review compliance and other appropriate service-related topics; and

- n. Monitor compliance with the provisions of the Foster Care Independence Act of 1999 [Pub. L. 106-169; 42 U.S.C. 677 et seq.], and title II, section 201 of the promoting safe and stable families amendments of 2001 [Pub. L. 107-133; 42 U.S.C. 677].
5. With respect to early childhood services (day care services), the regional representative shall:
 - a. Approve, deny, or revoke all early childhood home, group, and center license applications, license applications for preschool educational facilities, and applications for standard compliance certification, and provide formal notification to all applicants;
 - b. Provide technical assistance regarding policies, procedures, rules, and laws for early childhood services in the region; and
 - c. Provide or arrange inservice training for early childhood licensing staff regionwide.

History: Effective November 1, 1987; amended effective December 1, 1991; February 1, 1996; March 1, 1997; January 1, 2009.

General Authority: NDCC 50-06-05.2

Law Implemented: NDCC 50-06-05.2

75-05-05-04. Community correction program. Repealed effective December 1, 1991.

75-05-05-05. Aging services. The regional director shall designate a regional aging services program administrator and other staff as necessary to fulfill the objectives of this chapter. The regional aging services program administrator shall:

1. Support the state plan on aging and elder rights advocacy activities in the region.
2. Conduct or arrange for public hearings concerning the state plan on aging for the various titles of the Older Americans Act as amended [Pub. L. 89-73; 42 U.S.C. 3001 note].
3. Publish and distribute information, such as a newsletter published a minimum of four times per year to older individuals, agencies, and organizations serving older individuals.
4. Provide and document technical assistance on aging issues.

5. Conduct and document a minimum of two formal onsite programmatic and fiscal assessments of all Older Americans Act-funded service providers, one of which must be a year-end assessment and shall submit the assessments to the aging services division office upon completion.
6. Provide or arrange training for Older Americans Act-funded service providers, as appropriate.
7. Provide or arrange community education and implement special projects which support selected federal and state focus areas.
8. Provide and document the provision of information and supportive activities for vulnerable adult protective services.
9. Provide and document the provision of information and supportive activities for the national family caregiver support program.
10. Provide and document the provision of information and supportive activities for the long-term care ombudsman program.
11. All documentation addressed in subsections 4, 6, 7, 8, 9, and 10 shall be recorded in the form as prescribed by the aging services division and submitted to the division on a monthly basis.
12. For adult family foster care licensure services, the regional representative of county social services programs, the regional aging services program administrator, or other designated staff shall:
 - a. Review each adult family foster care licensing study conducted in the region, approve and issue the license, or deny the license and provide timely notice to the applicant;
 - b. Assure that each consumer record includes the required documentation as outlined in the department of human services service chapter 660-05;
 - c. Revoke adult family foster care licenses in consultation with the aging services division and provide notice to the licensee; and
 - d. Provide technical assistance regarding policies, procedures, rules, and laws related to adult family foster care licensure standards.

History: Effective November 1, 1987; amended effective December 1, 1991; February 1, 1996; January 1, 2009.

General Authority: NDCC 50-06-05.2

Law Implemented: NDCC 50-06-05.2

75-05-05-06. Long-term care ombudsman program. Repealed effective December 1, 1991.