

NORTH DAKOTA

Overview			
<p>Adult day care services facilities operated in a licensed basic care or skilled nursing facility must obtain approval from the Department of Health to provide adult day care services. The Department of Health may grant approval to licensed basic care facilities under <i>State Administrative Rules</i>, Chapter 33-03-24.1 or to licensed skilled nursing facilities under <i>State Administrative Rules</i>, Chapter 33-07-03.2-25. These rules are referenced in this profile. We were not able to identify additional requirements for adult day care providers not based in a skilled nursing facility.</p> <p>Adult day care is provided under the Medicaid Aged and Disabled waiver administered by the Department of Human Services under <i>State Administrative Rules</i>, Chapter 75-03-23.</p>			
Licensure and Certification Requirements			
Licensure Only <input type="checkbox"/>	Certification Only <input type="checkbox"/>	Both Required <input type="checkbox"/>	Other <input checked="" type="checkbox"/> nursing facilities require approval by the Department of Health; Medicaid providers must comply with Medicaid's rules
Definitions			
<p>Adult day care services means the provision of basic care or skilled nursing facility services to meet the needs of individuals who do not remain in the facility overnight.</p>			
Parameters for Who Can Be Served			
<p>None identified.</p>			
Inspection and Monitoring			
Yes <input checked="" type="checkbox"/>		No <input type="checkbox"/>	
<p>Upon receipt of an application for an initial basic care facility license, the department may schedule an inspection, and may act upon the application after the inspection. The department may inspect a basic care facility at any time.</p>			
Required and Optional Services			
	Adult Day Care		
	Required	Optional	
Activities of Daily Living (ADL) Assistance	X		
Health Education and Counseling			
Health Monitoring/Health-Related Services	X		
Medication Administration		X	
Nursing Services	X		
Physical Therapy, Occupational Therapy, or Speech Therapy			
Skilled Nursing Services			
Social Services	X		
Transportation	X		

Provisions Regarding Medications

Medications administration services must be available for residents, and medications must be administered only by order of a licensed health care practitioner.

Provisions for Groups with Special Needs

Dementia <input type="checkbox"/>	Mental Retardation/ Developmental Disabilities <input type="checkbox"/>	Other <input type="checkbox"/>
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Staffing Requirements

Type of staff. None identified.

Staffing ratios. None identified.

Training Requirements

None identified.

Relevant Medicaid Contracting Requirements for Adult Day Services Providers

Adult day care is provided under the Aged and Disabled waiver administered by the Department of Human Services under *State Administrative Rules Chapter 75-03-23*.

Definitions. A program of nonresidential activities for individuals 18 years of age and older that encompasses activities needed to ensure the optimal functioning of the individual. The program must be provided 3 or more hours per day, on a regularly scheduled basis, one or more times per week.

Adult day care services may be provided to a client:

- Who requires assistance in activities of daily living or instrumental ADL.
- Who is able to function in an ambulatory care setting.
- Who is able to participate in group activities.
- Whose primary caregiver, who shall reside with the client, will benefit from the temporary relief of caregiving.

Inspection. Adult day care services that are provided in a home or in an unlicensed freestanding facility must meet standards established by the Department of Human Services. The County Social Service Board is responsible for inspecting and assuring that these facilities meet the required standards.

Required services include assistance with ADL, social, leisure, and educational activities. A nutrition program is also required for residents who attend day services over a mealtime.

Optional services include transportation, physical, occupational, and speech therapies. Therapies can only be provided if the provider is licensed by the Department of Health as a Basic Care or Skilled Nursing Facility.

Medication administration. Limited to self-administration.

Types of staff. All staff who work in a home or free-standing adult day care facility must meet the standards required to be enrolled as a Qualified Service Provider with the Department of Human Services.

Staffing ratio. One employee for every eight clients.

Training. Adult day care providers are required to show evidence that they meet Qualified Service Provider competency standards every 2 years.

Location of Licensing, Certification, or Other Requirements
1. http://www.state.nd.us/lr/information/acdata/pdf/75-03-23.pdf
2. http://www.state.nd.us/lr/information/acdata/pdf/33-03-24.1.pdf
3. http://www.state.nd.us/lr/information/acdata/pdf/33-07-03.2.pdf
Citations
1. <i>Provision of Home and Community-Based Services under the Service payments for Elderly and Disabled Program and the Medicaid Waiver for the Aged and Disabled Program.</i> State Administrative Rules, Department of Human Services, Chapter 75-03-23. [6/1/1995]
2. <i>Basic Care Facilities.</i> State Administrative Rules. State Department of Health, Chapter 33-03-24.1. [1/1/1995]
3. <i>Nursing Facilities.</i> State Administrative Rules. State Department of Health, Chapter 33-07-03.2. [7/1/96]

REGULATORY REVIEW OF ADULT DAY SERVICES: Final Report

PDF Files Available for This Report

Cover, Table of Contents, Acknowledgments and Introduction

<http://aspe.hhs.gov/daltcp/reports/adultday.pdf>

SECTION 1. Overview of Adult Day Services Regulations

<http://aspe.hhs.gov/daltcp/reports/adultday1.pdf>

SECTION 2. State Regulatory Profiles

<http://aspe.hhs.gov/daltcp/reports/adultday2.pdf>

Each state can also be viewed separately at:

Alabama <http://aspe.hhs.gov/daltcp/reports/adultdayAL.pdf>

Alaska <http://aspe.hhs.gov/daltcp/reports/adultdayAK.pdf>

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