

**CHAPTER 75-03-41  
SUPERVISED INDEPENDENT LIVING**

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**SECTION 1:** Section 75-03-41-01 is amended as follows:

**75-03-41-01. Definitions.**

As used in this chapter:

1. "Agency" means the public or private entity licensed by the department to provide supervised independent living programming to eligible clients.

2. "Client" means an eligible individual between the ages of eighteen and ~~twenty-four~~twenty-one years and in foster care or eligible to return to foster care.
3. "Continued foster care services" is a voluntary foster care program to allow a ~~foster child~~in foster care to remain in or return to foster care between the ages of eighteen and twenty-one while in the placement and care of a public agency, but not in public custody.
4. "Employee" means an individual compensated by the agency to work in a part-time, full-time, intermittent, or seasonal capacity for the agency. This definition is not inclusive to contracted service providers who come onsite to conduct trainings, treatment groups, individual therapy, or other program services.
5. "Licensee" means an agency either licensed by the department or approved by the department if the agency is located within a tribal jurisdiction.
6. "Nonemployee" means an individual who is not compensated by the agency, such as a volunteer or student intern providing a specific service under the supervision of an employee.
7. "Placement and care agency" means a public agency granted legal placement and care authority.
8. "Supervised independent living program" means a program offered by an agency providing services and supports to eligible clients transitioning to independence.
9. "Supervised independent living setting" means a specific setting certified in accordance with the standards set forth by the agency to operate a supervised independent living program.

**History:** Effective October 1, 2019; amended effective April 1, 2024.

**General Authority:** NDCC 50-06-05.1, 50-11-03

**Law Implemented:** NDCC 50-06-05.1, 50-11-00.1

**SECTION 2:** Section 75-03-41-02 is amended as follows:

**75-03-41-02. Application - Effect of license.**

1. ~~Application~~An agency may not apply for a supervised independent living program license ~~must be made on an application provided by~~until the department has reviewed the need for additional supervised independent living programs. To enable the department to make a determination of need for a new supervised independent living program, the potential applicant

shall submit an initial request for application, including the following documentation and information to the department:

- a. The number, gender, and age range of the residents to be served;
- b. The employee staffing, including a list of full-time and part-time positions by job titles and descriptions;
- c. A description of the proposed program;
- d. A proposed budget; and
- e. The geographic location of the supervised independent living program.

2. ~~At the initial application, the applicant shall submit a written purpose and policy statement for the general operation and management of the supervised independent living program. The information submitted to the department for consideration must include~~Upon receipt of initial request for application, the department shall:

- a. ~~The purpose of the supervised independent living program~~Review the detailed plan for the operation proposed by the agency;
- b. ~~The geographic area the applicant expects to serve~~Ask for additional materials or information necessary for evaluation of need purposes;
- c. ~~The ages of eligible clients to be served~~Respond in writing within thirty days of receipt of all required information from the potential agency;
- d. ~~Written placement policy and agreement forms~~Send written notice of determination of need. The notice must state the specific reason for the determination. If the department determines there is need for additional supervised independent living programs, the notice must be accompanied by an authorization for the agency to apply for a license to operate a supervised independent living program; and
- e. ~~Written statement of the fees associated with the service~~Inform the potential agency of what is required to move forward with the application process.

3. ~~Upon receipt of the~~If an agency receives authorization to apply for a license to operate a supervised independent living program, an application for licensure or renewal of license, must be submitted in the form and manner prescribed by the department shall conduct a licensing study or a license

~~review to determine if the applicant meets all applicable requirements for licensure, which will initiate a document-based review or onsite visit at least every two years.~~

4. After completion of a licensing study ~~or license review~~, the department shall issue a license to any applicant that meets all requirements for licensure to provide a supervised independent living program.
5. Each agency shall carry general comprehensive liability insurance.
6. The department shall renew the license on the expiration date of the previous license if:
  - a. The agency makes written application for renewal prior to the expiration date of its current license; and
  - b. The agency continues to meet all requirements for licensure at the time of the licensing study or license review.
7. If the department determines an application, renewal of license, or accompanying information is incomplete or erroneous, the department shall notify the applicant of the specific deficiencies or errors, and the applicant shall submit the required or corrected information. The department may not issue or renew a license until it receives all required or corrected information.
8. A supervised independent living program license is in force and effect for the period stated thereon, not to exceed two years, is nontransferable, and is valid only to the agency providing the program oversight for the number of clients indicated on the license.

**History:** Effective October 1, 2019; amended effective April 1, 2024.

**General Authority:** NDCC 50-06-05.1, 50-11-03

**Law Implemented:** NDCC 50-06-05.1, ~~50-11-03~~

**SECTION 3:** Section 75-03-41-06 is amended as follows:

**75-03-41-06. Governance and administration.**

1. The agency shall have a governing body that is responsible for the policies, activities, practice, and overall operations of the agency. The governing body shall:
  - a. Be composed of at least five members. A list of the names and contact information of members of the governing body must be maintained and submitted to the department annually. Each board member shall annually disclose conflicts of interest. Members of the

board may not be family or have conflicts of interest with agency administration or employees with budget or accounting duties;

- b. Meet at least every six months;
  - c. Maintain records of the governing body's meetings;
  - d. Develop and review policies for member selection and rotation;
  - e. Ensure each board member understands the agency operation and program goals;
  - f. Ensure the agency is funded, housed, staffed, and equipped in a manner required for the provision of services;
  - g. Approve the agency's annual budget of anticipated income and expenditures necessary to provide services described in the program's statement of purpose;
  - h. Provide financial statements and audits to the department for reimbursement purposes, upon request;
  - i. Ensure the agency has an active strategic plan with a schedule to review annually;
  - j. Adopt a written statement of the purpose and philosophy of the agency; and
  - k. Adopt written policies for the agency regarding administration, personnel, and program services. Personnel policies for the recruitment and retention of employees necessary to operate the agency must indicate expectations of employees and nonemployees, detail job descriptions for each position, and ensure a process to review policies and procedures with employee participation at least every five years.
2. Approve developed policies for agencies operations in compliance with law, administrative rules, and policy as defined by the department.
3. All statements and policies required by this chapter must be in writing to demonstrate the intent of the standards are integrated into agency practice. The agency policy must be up to date.

**History:** Effective October 1, 2019; amended effective April 1, 2024.

**General Authority:** NDCC 50-06-05.1, 50-11-03

**Law Implemented:** NDCC 50-06-05.1, 50-11-03

**SECTION 4:** Subsection 3 of section 75-03-41-07 is amended as follows:

3. The agency shall maintain liability insurance as protection for its governing body, ~~staff employees, nonemployees~~, clients, funds, and property. The agency shall review the liability insurance annually to assure adequate agency coverage.

**History:** Effective October 1, 2019; amended effective April 1, 2024.

**General Authority:** NDCC 50-06-05.1, 50-11-03

**Law Implemented:** NDCC 50-06-05.1, 50-11-03

**SECTION 5:** Subsection 1 of section 75-03-41-09 is amended as follows:

1. Except as otherwise provided in this section, agency records concerning clients that have received, are receiving, or seek to receive supervised independent living programming must be safeguarded. The agency shall ensure the safety of client records against loss, theft, defacement, tampering, or use by unauthorized persons. Any documents containing identifying information regarding the client must be locked when unattended by ~~staffan employee or nonemployee~~.

**History:** Effective October 1, 2019; amended effective April 1, 2024.

**General Authority:** NDCC 50-06-05.1, 50-11-03

**Law Implemented:** NDCC 50-06-05.1, 50-11-05

**SECTION 6:** Section 75-03-41-10 is amended as follows:

**75-03-41-10. Quality assurance.**

A supervised independent living program shall have a performance and quality ~~improvement~~assurance plan that advances efficient, effective service delivery, management practices, and the achievement of goals and outcomes.

1. ~~An agency shall have a written quality assurance plan that defines:~~
  - a. ~~Approach to quality improvement;~~
  - b. ~~Employee roles and responsibility for implementing and coordinating quality assurance;~~
  - c. ~~Data outcomes tracked and collection processes; and~~
  - d. ~~Processes for reporting findings and monitoring results.~~
2. ~~An agency quality assurance plan must include agency performance and client outcomes which identify measures of the following client outcomes:~~

- a. Employment;
- b. Education;
- c. Permanent connections;
- d. Health insurance coverage;
- e. Reduction of illegal or high-risk behaviors;
- f. Reduction of unplanned parenting; and
- g. Reduction of homelessness.

3.2. The agency shall conduct ~~a department-approved~~ an outcomes survey for each client upon entry, and exit, ~~and six months following exit~~ from the supervised independent living program.

**History:** Effective October 1, 2019; amended effective April 1, 2024.

**General Authority:** NDCC 50-06-05.1, 50-11-03

**Law Implemented:** NDCC 50-06-05.1, 50-11-03

**SECTION 7:** Subsection 1 of section 75-03-41-11 is amended as follows:

1. The agency shall employ supervised independent living program staffemployees with sufficient qualifications to enable the supervised independent living program staffemployees to perform the agency's fiscal, clerical, and maintenance functions associated with operating the program.

**History:** Effective October 1, 2019; amended effective April 1, 2024.

**General Authority:** NDCC 50-06-05.1, 50-11-03

**Law Implemented:** NDCC 50-06-05.1, 50-11-03

**SECTION 8:** Section 75-03-41-12 is amended as follows:

**75-03-41-12. Program administrator.**

The agency shall designate a program administrator to oversee the agency's supervised independent living program.

1. The agency clearly shall define, in writing, the responsibilities of the program administrator. At a minimum, the program administrator's responsibilities shall include:
  - a. Planning and coordinating the development of policies and procedures governing the supervised independent living program;

- b. Ensuring the governing body is kept informed of matters affecting the supervised independent living program's finances, operation, and provision of services;
  - c. Ensuring employment of qualified staff and the administration of the supervised independent living program's employee and nonemployee policies;
  - d. Ensuring the supervised independent living program and its services are made known to the community;
  - e. Maintaining the policies and procedures required by this chapter in written form;
  - f. Maintaining a current organizational chart representing program authority; and
  - g. Supervising, evaluating, and monitoring the work progress of the program ~~staff~~employees and nonemployees.
2. The program administrator must have a bachelor's degree in business, public administration, or a behavioral science field and have four years of related work experience.

**History:** Effective October 1, 2019; amended effective April 1, 2024.

**General Authority:** NDCC 50-06-05.1, 50-11-03

**Law Implemented:** NDCC 50-06-05.1, 50-11-03

**SECTION 9:** Section 75-03-41-13 is amended as follows:

**75-03-41-13. Transition coordinator.**

1. The agency clearly shall define, in writing, the responsibilities of the supervised independent living program transition coordinator. At a minimum, responsibilities must include:
- a. Performance of intake services;
  - b. Provide client case management and coordination of services;
  - c. Referral of resources to assist clients;
  - d. Overall management of the client's transition plan;
  - e. Documentation of ongoing communications and case activity for each client;



- f. Competencies necessary to implement an individualized transition care plan for each client; and
  - g. Competencies to provide group services, if applicable to the program.
2. The transition coordinator must have a bachelor's degree in ~~social work or related human service~~ a behavioral science field, and be licensed as required by the field of practice, and have two years previous paid or unpaid work experience with children or families, unless otherwise approved by the department.
  3. The agency shall have sufficient transition coordinators employed to meet minimum employee-to-client ratios required by this chapter.

**History:** Effective October 1, 2019; amended effective April 1, 2024.

**General Authority:** NDCC 50-06-05.1, 50-11-03

**Law Implemented:** NDCC 50-06-05.1, 50-11-03

**SECTION 10:** Section 75-03-41-17 is repealed:

**75-03-41-17. Background checks effect on operation of agency or employment.**

[Repealed effective April 1, 2024]

- ~~1. The agency shall require an initial fingerprint based criminal background check for each employee and nonemployee with direct contact with clients. Subsequent background checks are not required for an employee who maintains continuous employment at the agency unless the agency or the department determines a need exists to conduct a subsequent investigation.~~
- ~~2. The agency shall require an initial child abuse and neglect index check review including index check review in each state where the employee or nonemployee has resided in the past five years. After the initial investigation, a child abuse and neglect index check review must be repeated annually for each employee and nonemployee with direct contact with clients.~~
- ~~3. The agency shall submit proper paperwork for the department to perform an annual child abuse and neglect index check review on every agency employee and nonemployee. The agency shall place a copy of the results in each employee or nonemployee personnel file.~~
- ~~4. The agency shall make an offer of employment to an employee or an offer of placement to a nonemployee conditional upon the individual's consent to~~

~~complete required background checks. The agency shall define in policy parameters specific to duties allowed while awaiting the results of the required background check.~~

- ~~5. The department may excuse an employee or nonemployee from providing fingerprints if usable prints have not been obtained after two sets of prints have been submitted and rejected. If an employee or nonemployee is excused from providing fingerprints, the department may conduct a nationwide name-based criminal history record investigation in any state in which the employee or nonemployee lived during the eleven years preceding the signed authorization for the background check.~~

**History:** Effective October 1, 2019.

**General Authority:** NDCC 50-06-05.1, 50-11-03

**Law Implemented:** NDCC 50-06-05.1, 50-11-06.8

**SECTION 11:** Section 75-03-41-18 is amended as follows:

**75-03-41-18. Criminal convictions Background checks and criminal conviction – Effect on operation of agency or employment by agency.**

1. The department requires an initial fingerprint-based criminal background check for each employee or nonemployee with direct contact with clients. Subsequent fingerprint-based background checks are not required for an employee who maintains continuous employment at the supervised independent living program unless the program or the department determines a need exists to conduct a subsequent investigation. Subsequent fingerprint-based background checks for nonemployees are not required unless the program or department determines a need exists to conduct a subsequent investigation.
2. The department requires a child abuse and neglect index check as part of the initial fingerprint-based background check. An annual child abuse and neglect index check must be completed and placed in the personnel file.
3. An agency may not employ an employee or place a nonemployee, in any capacity that involves or permits contact between an employee or nonemployee and any client provided supervised independent living programming by the agency, an individual who is known to have been found guilty of, pled guilty to, or pled no contest to:
  - a. An offense described in North Dakota Century Code chapter 12.1-16, homicide; 12.1-17, assaults - threats - coercion - harassment; 12.1-18, kidnapping; 12.1-27.2, sexual performances by children; or 12.1-41, Uniform Act on Prevention of and Remedies for Human Trafficking; or 19-03.1, Uniform Controlled Substance Act, if class A, B, or C felony under that chapter; or in North Dakota Century Code

section 12.1-20-03, gross sexual imposition; 12.1-20-03.1, continuous sexual abuse of a child; 12.1-20-04, sexual imposition; 12.1-20-05, corruption or solicitation of minors; 12.1-20-05.1, luring minors by computer or other electronic means; 12.1-20-06, sexual abuse of wards; 12.1-20-07, sexual assault; 12.1-20-12.3, sexual extortion; 12.1-21-01, arson; ~~12.1-20-12.3, sexual extortion~~; 12.1-22-01, robbery; if a class A or B felony under section 2 of that section; ~~or~~ 12.1-22-02, burglary, if a class B felony under subdivision b of subsection 2 of that section; 12.1-29-01, promoting prostitution; 12.1-29-02, facilitating prostitution; 12.1-31-05, child procurement; 12.1-31-07, endangering an eligible adult – penalty; 12.1-31-07.1, exploitation of an eligible adult – penalty; 14-09-22, abuse of child; or 14-09-22.1, neglect of child;

- b. An offense under the laws of another jurisdiction which requires proof of substantially similar elements as required for conviction under any of the offenses identified in subdivision a; or
- c. An offense, other than an offense identified in subdivision a or b, if the department determines that the individual has not been sufficiently rehabilitated.
  - (1) The department will not consider a claim that the individual has been sufficiently rehabilitated until any term of probation, parole, or other form of community corrections or imprisonment, without subsequent charge or conviction, for all other criminal convictions has elapsed.
  - (2) An offender's completion of a period of five years after final discharge or release from any term of probation, parole, or other form of community corrections or imprisonment, without subsequent conviction, is prima facie evidence of sufficient rehabilitation.

2.4. The department has determined the offenses enumerated in subdivisions a and b of subsection ~~4~~3 have a direct bearing on the individual's ability to serve the public in a capacity involving the provision of supervised independent living programs and services.

3.5. In the case of a ~~misdemeanor simple assault~~ simple assault offenses described in North Dakota Century Code section 12.1-17-01, simple assault; 12.1-17-03, reckless endangerment; 12.1-17-06, criminal coercion; 12.1-17-07, harassment; or 12.1-17-07.1, stalking; 12.1-22-01, robbery, if a class C felony; or 12.1-31-07.1, exploitation of an eligible adult – penalty, if a class B felony under subdivision c of subsection 2 of that section or a B felony under subdivision d of subsection 2 of that section; or chapter 19-03.1,

Uniform Controlled Substance Act, if a class A, B, or C felony; or equivalent conduct in another jurisdiction which requires proof of substantially similar elements as required for conviction, the department may determine the individual has been sufficiently rehabilitated if five years have elapsed after final discharge or release from any term of probation, parole, or other form of community corrections or imprisonment, ~~without subsequent charge or conviction for all other criminal convictions.~~ The department may not be compelled to make such determination.

4.6. The department may discontinue processing a request for a criminal background check for any individual who provides false or misleading information about the individual's criminal history.

5.7. An individual is known to have been found guilty of, pled guilty to, or pled no contest to an offense when it is:

- a. Common knowledge in the community verified by source documents;
- b. Acknowledged by the individual; or
- c. Discovered by the agency or department as a result of a background check.

6.8. The department has authority to request a fingerprint-based criminal background check whenever an employee or nonemployee of the agency is known to have been involved in, charged with, or convicted of an offense.

9. Review of fingerprint-based criminal background check results.

a. If an individual disputes the accuracy or completeness of the information contained in the fingerprint-based criminal background check required under this chapter, the individual may request a review of the results by submitting a written request for review to the department within thirty calendar days of the date of the results. The individual's request for review must include a statement of each disputed item and the reason for the dispute.

b. The department shall assign the individual's request for review to a department review panel.

c. An individual who has requested a review may contact the department for an informal conference regarding the review any time before the department has issued its final decision.

- d. The department shall notify the individual of the department's final decision in writing within sixty calendar days of receipt of the individual's request for review.
  - e. The final decision of the review panel may not be appealed.
10. The supervised independent living program shall make an offer of employment to an employee conditional upon the individual's consent to complete required background check. While awaiting the results of the required background check, the supervised independent living program may choose to provide training and orientation to an employee. However, until the completed and approved required background check results are placed in the employee file, the employee shall only have supervised interaction with clients.
11. The department may excuse an employee or nonemployee from providing fingerprints if usable prints have not been obtained after two sets of prints have been submitted and rejected. If an employee or nonemployee is excused from providing fingerprints, the department may conduct a nationwide name-based criminal history record investigation in any state in which the employee or nonemployee lived during the eleven years preceding the signed authorization for the background check.
12. An agency shall establish written policies and engage in practices that conform to those policies, to effectively implement this section, North Dakota Century Code section 50-11-06.8, and subsection 4 of North Dakota Century Code section 50-11-07.
- ~~7-13.~~ An agency shall establish written policies specific to how the agency shall proceed if a current employee or nonemployee is known to have been found guilty of, pled guilty to, or pled no contest to an offense.

**History:** Effective October 1, 2019; amended effective April 1, 2024.

**General Authority:** NDCC 50-06-05.1, 50-11-03

**Law Implemented:** NDCC 50-06-05.1, 50-11-06.8

**SECTION 12:** Section 75-03-41-20 is amended as follows:

**75-03-41-20. Supervised independent living setting.**

- 1. An agency licensed to provide supervised independent living programming may engage in service delivery based on different housing options, referenced as a supervised independent living setting. The agency is not required to offer each setting and shall specify during application and in policy which setting the agency shall provide. The agency shall have defined criteria and policy specific to clients eligible for each setting. The

agency may own, lease, or contract with another person to provide a setting. Setting may include:

- a. Individual apartment: an individual suite or shared apartment unit located within a building servicing housing one or multiple clients/individuals, each with a private/adequate bedroom and a private or shared bathroom space, living space, and kitchen facilities designed as a residence. This setting may include onsite program management.
  - b. Shared housing: a single-family residence serving clients living cooperatively as an unrelated family in a house each with a private bedroom. If a client has a child of their own, the shared housing accommodations must meet the needs of all individuals residing in the home. This setting may include onsite program management.
  - c. College dorm room: a room in a building provided by a college or university containing several private or semiprivate bedrooms for housing a number of individuals in a setting whose inhabitants are in school. This includes dorms on- or off-campus and may include onsite program management.
2. A supervised independent living setting is not required to be licensed in addition to the agency license to provide supervised independent living programming.
  3. A supervised independent living setting must be in compliance with all applicable provisions of state and local laws, ordinances, rules, and regulations concerning health, safety, and nondiscrimination for housing. A supervised independent living setting must ~~be~~:
    - a. ~~Located~~Be located in an ~~appropriate neighborhood and so located that it is readily~~ safe area accessible to necessary services and adequate transportation;
    - b. ~~Of sufficient size to provide~~Provide proper accommodations for the client; and
    - c. ~~Kept~~Be maintained in clean and sanitary condition ~~and in good repair~~ providing reasonable comfort and well-being of the client.
  4. Only clients accepted into the supervised independent living program may reside in a supervised independent living program setting, unless otherwise approved by the placement and care agency.

5. Supervised independent living programs provided to pregnant or parenting clients and client's children shall also meet the following criteria:
  - a. The setting shall provide safe and adequate sleeping arrangements for the children;
  - b. The client's transition plan must include appropriate parent education, including certified first aid, certified cardiopulmonary resuscitation, and child care; and
  - c. The program policy for pregnant or parenting clients must be followed.

**History:** Effective October 1, 2019; amended effective April 1, 2024.

**General Authority:** NDCC 50-06-05.1, 50-11-03

**Law Implemented:** NDCC 50-06-05.1, 50-11-03

**SECTION 13:** Section 75-03-41-21 is amended as follows:

**75-03-41-21. Client eligibility.**

The supervised independent living program may be made available for a variety of clients in need of transition services. The agency shall detail in policy, clients eligible for program acceptance and the expectations of a client's ability to live independently with minimal supervision. Clients eligible for acceptance into the program may include:

1. Clients currently under the custody of a public agency; or
2. Clients currently in the placement and care of a public agency, actively participating in continued foster care services; and
2. ~~Clients pregnant or parenting a child; or~~
3. Clients in need of supervised independent living programming.

**History:** Effective October 1, 2019; amended effective April 1, 2024.

**General Authority:** NDCC 50-06-05.1, 50-11-03

**Law Implemented:** NDCC 50-06-05.1, 50-11-03

**SECTION 14:** Section 75-03-41-25 is repealed:

**75-03-41-25. Client rights.**

[Repealed effective April 1, 2024]

~~The agency shall have written policy indicating the agency supports the rights of clients. Specifically, the agency shall:~~

- ~~1. Respect the client;~~
- ~~2. Ensure the client is treated fairly and without discrimination;~~
- ~~3. Respect the client's family members or adult connections;~~
- ~~4. Provide safe housing;~~
- ~~5. Allow the client to take their personal items, clothing, and any gifts or possessions that have been acquired when exiting the program;~~
- ~~6. Provide referrals for the client to receive medical, vision, and dental care;~~
- ~~7. Support cultural traditions and religious faith in reasonable ways;~~
- ~~8. Support the client in participating in the development of their transition plan;~~
- ~~9. Support the client in attending and leading their quarterly foster care child and family team meeting, if applicable;~~
- ~~10. Support the participation and representation in the client's foster care judicial proceedings, if applicable; and~~
- ~~11. Outline a process that can be utilized by the client if the client feels their rights are not being protected.~~

**History:** Effective October 1, 2019.

**General Authority:** NDCC 50-06-05.1, 50-11-03

**Law Implemented:** NDCC 50-06-05.1, 50-11-03

**SECTION 15:** Section 75-03-41-26 is amended as follows:

**75-03-41-26. Client file.**

Upon acceptance to the supervised independent living program, a client's case file is confidential and must be protected from unauthorized examination unless permitted or required by law or regulation. The agency shall adopt a policy regarding the retention of client files.

1. The client file must include:
  - a. A file inventory with dates of acceptance into the program, referral agency, and emergency contact information;
  - b. The client's full name, date of birth, and other identifying information;



- c. A photo of the client;
  - d. Signed care program acceptance agreement, including financial responsibility and expectations of all parties. The agreement must indicate a clear division of responsibility between the agency, client, and the placement and care agency, if applicable;
  - e. ~~If the client is in continued foster care services, a~~ current court order establishing the authority granted to the placement and care agency;
  - f. ~~If the client is in continued foster care services, a~~ copy of the continued foster care agreement signed by all parties;
  - g. A copy of the outcomes survey;
  - h. A copy of the transition plan prepared by the agency and client;
  - i. Transition plan progress reports, no less than quarterly;
  - j. Ongoing documentation and case activity logs of face-to-face contact, electronic mails, and texts with clients; ~~and~~
  - k. All incident or sentinel event reports involving the client; and
  - l. Copy of client rights.
2. The agency shall designate an employee to review each client file at least quarterly. Documentation of the file review must be included in the client file.
  3. An agency shall disclose its records to the department as requested.

**History:** Effective October 1, 2019; amended effective April 1, 2024.

**General Authority:** NDCC 50-06-05.1, 50-11-03

**Law Implemented:** NDCC 50-06-05.1, 50-11-05