

Assisted Living — North Dakota Administrative Code Requirements

Department of Human Services administrative rules applicable to Assisted Living Facilities:

[NDAC Chapter 75-03-25](#) “Ombudsman Program”

Outlines the requirements and operation of the Ombudsman Program, duties of the ombudsman, appointment and qualifications of ombudsman and statewide reporting of complaints.

[NDAC Chapter 75-03-34](#) “Licensing of Assisted Living Facilities”

Details the licensing requirements, revocation of a license, how complaints are handled and enforcement of licensure of assisted living facilities by the Department of Human Services.

Department of Health administrative rules applicable to Assisting Living Facilities:

[NDAC Chapter 33-33-04.1](#) “Food Code”

North Dakota Requirements for Food and Beverage Establishments, including assisted living facilities.

[NDAC Chapter 33-33-05](#) "Smoke Detector Rules"

Outlines where smoke detectors are required, requirements for devices for the hearing impaired, and testing and maintenance of the smoke detection system for assisted living facilities.

[NDAC Chapter 33-33-08](#) "Food Establishment License Fees"

Specifies the fees for licensure by the North Dakota Health Department for all food establishments, including an assisted living facility.

[NDAC Chapter 33-33-09](#) "Assisted Living Facilities"

Specifies requirements for a) emergency lighting b) emergency plans and c) inspection, testing and maintenance of sprinkler systems for those facilities so equipped.

[NDAC Chapter 33-43-01](#) "Nurse Aide Training, Competency Evaluation, & Registry"

Outlines in detail nurse aide training program requirements, testing, medication assistant I and II training and competency requirements, specific delegation of medication administration, PRN medications, complaint investigations and disciplinary actions against nurse aides. Establishes the official registry for individuals who are certified by the Health Department as nurse aides.

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State Board of Nursing administrative rules applicable to unlicensed assistive persons and medication assistants:

[NDAC Chapter 54-07-02](#) “Unlicensed Assistive Person Registry”

Specifies the requirements to register as an unlicensed assistive person.

[NDAC Chapter 54-07-02.1](#) “Criminal History Record Checks for Registration”

Specifies the requirements for criminal history record checks for an unlicensed assistive person or a medication assistant III.

[NDAC Chapter 54-07-03.1](#) “Role of the Unlicensed Assistive Person and Technician”

Specifies a) the requirements for unlicensed assistive persons and technicians and b) the interventions that may not be delegated to an unlicensed person.

[NDAC Chapter 54-07-08](#) "Specific Delegation of Medication Administration"

Outlines the requirements established by the North Dakota Board of Nursing for the delegation by a LPN or RN to delegate medication administration to a certified nurse aide or certified medication aide.

This list may not be all inclusive