

CHAPTER 23-17.7
RESIDENTIAL END-OF-LIFE FACILITY REGULATION

23-17.7-01. Definitions.

As used in this section, unless the context and subject matter otherwise require:

1. "Department" means the department of health and human services.
2. "Hospice patient" has the same meaning as provided under section 23-17.4-01.
3. "Hospice program" has the same meaning as provided under section 23-17.4-01.
4. "Hospice services" has the same meaning as provided under section 23-17.4-01.
5. "Residential end-of-life facility" means a freestanding facility that provides twenty-four hour residential and support services in a home-like setting for no more than twelve hospice patients receiving hospice services from a third-party hospice program.

23-17.7-02. License required.

A person may not conduct, maintain, or operate a residential end-of-life facility in this state without a license issued by the department under this chapter. A licensed residential end-of-life facility is not a hospital, skilled nursing home, intermediate care facility, nursing facility, assisted living facility, home health agency, or hospice program.

23-17.7-03. License issuance and renewal - Evaluation and inspection - Rules.

1. Upon receipt of an initial or renewal license application on forms established by the department, the department or the department's authorized representative shall evaluate and inspect the residential end-of-life facility. The department shall issue or renew a license for an applicant that submits a complete application, submits the appropriate fee, and meets the minimum requirements of this chapter.
2. In consultation with stakeholders, the state health council shall adopt rules:
 - a. For the application, issuance, and renewal of a license under this chapter;
 - b. Establishing minimum standards for licensure of a residential end-of-life facility; and
 - c. Establishing the fee for issuance of a license and renewal of a license of a residential end-of-life facility.

23-17.7-04. Denial, suspension, or revocation of license.

The department may deny, suspend, or revoke the license of a residential end-of-life facility for noncompliance with this chapter or rules adopted under this chapter in accordance with the administrative hearings provisions of chapter 28-32.