

CHAPTER 50-31
SUBSTANCE ABUSE TREATMENT PROGRAMS

50-31-01. Definition.

"Department" means the department of human services.

50-31-02. License required.

A person, partnership, association, corporation, or limited liability company without a license may not establish, conduct, or maintain in this state a substance abuse treatment program for the care of persons addicted to alcohol or other drugs. The department, in accordance with the laws of this state governing injunctions and other process, may maintain an action in the name of the state against a person, partnership, association, corporation, or limited liability company for establishing, conducting, managing, or operating a substance abuse treatment program without a license.

50-31-03. Application - Contents.

A person, partnership, association, corporation, or limited liability company desiring a license shall file with the department a verified application containing the name of the applicant, the type of institution to be operated, the location, the name of the individual or individuals in charge, and such other information as the department may require.

50-31-04. Inspection and evaluation of licensed premises.

Every licensed substance abuse treatment program shall obtain and provide to the department a local or state authority certification as to the safety of the premises. The department shall evaluate every licensed substance abuse treatment program according to the rules adopted by the department.

50-31-05. Issuance, suspension, and revocation of license.

1. The department is authorized to issue licenses to operate substance abuse treatment programs, for a period of two years, which are found to comply with the provisions of this chapter and rules adopted by the department.
2. The department may suspend or revoke a license if a program violates any of the rules adopted by the department.
3. Before a license may be suspended or revoked, written notice must be given to the licenseholder. The licenseholder must be furnished with a copy of the notice by registered mail. If a license is revoked, a new application for a license may be considered by the department when the conditions upon which the revocation were based have been corrected and evidence of this fact has been satisfactorily furnished. A new license may then be granted after proper inspection has been made and the applicant has complied with all rules adopted by the department. Within thirty days after service of the written charges, the applicant or licensee may submit to the department a written request for an administrative hearing as provided in chapter 28-32.

50-31-06. Information confidential.

Information received by the department through inspections of programs under this chapter is confidential and may not be disclosed except in a proceeding involving the issuance of a license.