

**IDAPA 05 – IDAHO DEPARTMENT OF JUVENILE CORRECTIONS**  
**05.02.01 – RULES FOR RESIDENTIAL TREATMENT PROVIDERS**  
**DOCKET NO. 05-0201-2301 (ZBR CHAPTER REPEAL)**  
**NOTICE OF RULEMAKING – PROPOSED RULE**

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section(s) 20-504(10), Idaho Code.

**PUBLIC HEARING SCHEDULE:** A public hearing concerning this rulemaking will be held as follows:

<p><b>Wednesday, October 25, 2023, at 2:00 p.m. MT</b></p> <p><b>954 W. Jefferson St, Boise, Idaho, Conference Room 1, and virtually by BlueJeans meeting</b> <b>Meeting URL <a href="https://bluejeans.com/975592637/9404">https://bluejeans.com/975592637/9404</a></b> <b>Meeting ID 975 592 637</b> <b>Participant Passcode 9404</b></p> <p><b>E-mail <a href="mailto:Estela.Cabrera@idjc.idaho.gov">Estela.Cabrera@idjc.idaho.gov</a> or call 208.577.5451 for assistance.</b></p>
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The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

**DESCRIPTIVE SUMMARY:** The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

This proposed rulemaking is done in compliance with Executive Order 2020-01: Zero-Based Regulation. The department is repealing this chapter and intends to include expectations for contracted residential treatment providers as part of the contract language. Since not all providers have the same expectations, the contract will be an adequate and enforceable tool to communicate expectation. Contracted residential treatment providers will be audited annually for compliance with expectations.

**FEE SUMMARY:** The following is a specific description of the fee or charge imposed or increased: N/A.

**FISCAL IMPACT:** There is no negative fiscal impact on the state general fund as a result of this rulemaking.

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the June 7, 2023 Idaho Administrative Bulletin, Volume 23-6, pages 37-38.

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Estela Cabrera at (208) 577-5451.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 25, 2023.