

1 10A NCAC 13F .0704 is proposed for amendment as follows:

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3 **10A NCAC 13F .0704 RESIDENT CONTRACT, INFORMATION ON HOME AND RESIDENT**
4 **REGISTER**

5 (a) An adult care home administrator or administrator-in-charge shall furnish and review with the resident or
6 responsible person information on the home upon admission and when changes are made to that information. A
7 statement indicating that this information has been received upon admission or amendment as required by this Rule
8 shall be signed and dated by each person to whom it is given and retained in the resident's record in the home. The
9 information shall include the following:

- 10 (1) the resident contract to which the following applies:
- 11 (A) the contract shall specify rates for resident services and accommodations, including the
 - 12 cost of different levels of service, if applicable, and any other charges or fees;
 - 13 (B) the contract shall disclose any health needs or conditions that the facility has determined
 - 14 it cannot meet pursuant to G.S. 131D-2(a1)(4);
 - 15 (C) the contract shall be signed and dated by the administrator or administrator-in-charge and
 - 16 the resident or responsible person, a copy given to the resident or responsible person and
 - 17 a copy kept in the resident's record;
 - 18 (D) the resident or responsible person shall be notified as soon as any change is known, but
 - 19 not less than 30 days before the change for rate changes initiated by the facility, of any
 - 20 changes in the contract and be provided an amended contract or an amendment to the
 - 21 contract for review and signature;
 - 22 (E) gratuities in addition to the established rates shall not be accepted; and
 - 23 (F) the maximum monthly adult care home rate that may be charged to Special Assistance
 - 24 recipients is established by the North Carolina Social Services Commission and the North
 - 25 Carolina General Assembly.

26 Note: Facilities may accept payments for room and board from a third party, such as
27 family member, charity or faith community, if the payment is made voluntarily to
28 supplement the cost of room and board for the added benefit of a private room or a
29 private or semi-private room in a special care unit.

- 30 (2) a written copy of all house rules, including facility policies on smoking, alcohol consumption,
- 31 visitation, refunds and the requirements for discharge of residents consistent with the rules of this
- 32 Subchapter, and amendments disclosing any changes in the house rules;
- 33 (3) a copy of the Declaration of Residents' Rights as found in G.S. 131D-21;
- 34 (4) a copy of the home's grievance procedures which shall indicate how the resident is to present
- 35 complaints and make suggestions as to the home's policies and services on behalf of himself or
- 36 others; ~~and~~

1 (5) a statement as to whether the home has signed Form DSS-1464, Statement of Assurance of
2 Compliance with Title VI of the Civil Rights Act of 1964 for Other Agencies, Institutions,
3 Organizations or Facilities, and which shall also indicate that, if the home does not choose to
4 comply or is found to be in non-compliance, the residents of the home would not be able to
5 receive State-County Special Assistance for Adults and the home would not receive supportive
6 services from the county department of social ~~services.~~services; and

7 (6) a statement as to whether the legal representative of a resident with Alzheimer's Disease or other
8 form of dementia wishes to be notified of the resident's refusal of a medication dose.

9 (b) The administrator or administrator-in-charge and the resident or the resident's responsible person shall complete
10 and sign the Resident Register within 72 hours of the resident's admission to the facility and revise the information
11 on the form as needed. The Resident Register is available on the internet website, ~~http://facility-~~
12 ~~services.state.nc.us/gepage.htm,~~ <http://www.ncdhhs.gov/dhsr/acls/index.html>, or at no charge from the Division of
13 Health Service Regulation, Adult Care Licensure Section, 2708 Mail Service Center, Raleigh, NC 27699-2708. The
14 facility may use a resident information form other than the Resident Register as long as it contains at least the same
15 information as the Resident Register.

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17 *History Note: Authority 131D-2; 143B-165; S.L. 2002-0160; 2003-0284;*
18 *Temporary Adoption Eff. July 1, 2004;*
19 *Eff. July 1, 2005;*
20 *Amended Eff. January 1, 2012*
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1 10A NCAC 13G .0704 is proposed for amendment as follows:
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3 **10A NCAC 13G .0704 RESIDENT CONTRACT AND INFORMATION ON HOME**

4 The administrator or supervisor-in-charge shall furnish and review with the resident or his responsible person
5 information on the family care home upon admission and when changes are made to that information. A statement
6 indicating that this information has been received upon admission or amendment as required by this Rule shall be
7 signed and dated by each person to whom it is given. This statement shall be retained in the resident's record in the
8 home. The information shall include:

9 (1) a copy of the home's resident contract specifying rates for resident services and accommodations,
10 including the cost of different levels of service, if applicable, any other charges or fees, and any
11 health needs or conditions the home has determined it cannot meet pursuant to G.S. 131D-
12 2(a1)(4). In addition, the following applies:

13 (a) The contract shall be signed and dated by the administrator or supervisor-in-charge and
14 the resident or his responsible person and a copy given to the resident or his responsible
15 person;

16 (b) The resident or his responsible person shall be notified as soon as any change is known,
17 but not less than 30 days for rate changes initiated by the home, of any rate changes or
18 other changes in the contract affecting the resident services and accommodations and be
19 provided an amended copy of the contract for review and signature;

20 (c) A copy of each signed contract shall be kept in the resident's record in the home;

21 (d) Gratuities in addition to the established rates shall not be accepted; and

22 (e) The maximum monthly rate that may be charged to Special Assistance recipients is
23 established by the North Carolina Social Services Commission and the North Carolina
24 General Assembly;

25 Note: Facilities may accept payments for room and board from a third party, such as
26 family member, charity or faith community, if the payment is made voluntarily to
27 supplement the cost of room and board for the added benefit of a private room.

28 (2) a written copy of any house rules, including the conditions for the discharge and transfer of
29 residents, the refund policies, and the home's policies on smoking, alcohol consumption and
30 visitation consistent with the rules in this Subchapter and amendments disclosing any changes in
31 the house rules;

32 (3) a copy of the Declaration of Residents' Rights as found in G.S. 131D-21;

33 (4) a copy of the home's grievance procedures which shall indicate how the resident is to present
34 complaints and make suggestions as to the home's policies and services on behalf of self or others;
35 ~~and~~

36 (5) a statement as to whether the home has signed Form DSS-1464, Statement of Assurance of
37 Compliance with Title VI of the Civil Rights Act of 1964 for Other Agencies, Institutions,

1 Organizations or Facilities, and which shall also indicate that if the home does not choose to
2 comply or is found to be in non-compliance the residents of the home would not be able to receive
3 State-County Special Assistance for Adults and the home would not receive supportive services
4 from the county department of social ~~services.~~ services; and

5 (6) a statement as to whether the legal representative of a resident with Alzheimer's Disease or other
6 form of dementia wishes to be notified of the resident's refusal of a medication dose.

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8 *History Note: Authority G.S. 131D-2; 143B-165; S.L. 2002-0160; 2003-0284;*
9 *Eff. April 1, 1984;*
10 *Amended Eff; July 1, 1990; April 1, 1987;*
11 *Temporary Amendment Eff. July 1, 2004;*
12 *Amended Eff. January 1, 2012; July 1, 2005.*
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