

1 10A NCAC 13D .2107 is proposed for amendment as follows:

2

3 **10A NCAC 13D .2107 SUSPENSION OF ADMISSIONS**

4 (a) The Department may suspend the admission of ~~any new patient~~ patients to ~~any a~~ facility when warranted under
5 the provisions of G.S. 131E-109(c).

6 (b) The Department shall notify the facility personally or by certified mail of the decision to suspend admissions.
7 Such notice shall include:

8 (1) ~~factual allegations;~~ a reference to the statement of deficiencies that contains the facts;

9 (2) citation of statutes and rules alleged to be violated; and

10 (3) notice of the facility's right to a contested case hearing on the suspension.

11 (c) The suspension ~~shall be~~ is effective ~~when the notice is served or~~ on the date specified in the notice of
12 ~~suspension, whichever is later.~~ suspension. The suspension shall remain effective until the facility demonstrates to
13 the Department that conditions are no longer detrimental to the health and safety of the patients.

14 (d) The facility shall not admit new patients during the effective period of the suspension.

15 (e) Patients requiring hospitalization during the period of suspension of admissions shall be readmitted after
16 hospitalization or on return from temporary care to the facility based on the availability of a bed and the ability of
17 the facility to provide necessary care. Upon return from the hospital, the requirements of G.S. 131E-130 ~~shall~~ apply.

18

19 *History Note: Authority G.S. 131E-104;*

20 *Eff. January 1, ~~1996.~~ 1996;*

21 *Amended Eff. January 1, 2013.*