

1 10A NCAC 13B .3502, originally published on the OAH website as 10A NCAC 13B .1906, is temporarily adopted
2 with changes as follows:

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4 **10A NCAC 13B .3502 REQUIRED POLICIES, RULES, AND REGULATIONS**

5 (a) The governing body shall adopt written policies, rules, and regulations in accordance with all requirements con-
6 tained in this Subchapter and in accordance with the community responsibility of the facility. ~~As a minimum, the~~
7 The written policies, rules, and regulations shall:

- 8 (1) state the ~~general and specific goals~~ purpose of the facility;
- 9 (2) describe the powers and duties of the governing body officers and committees and the
10 responsibilities of the chief executive officer;
- 11 (3) state the qualifications for governing body membership, the procedures for selecting members, and
12 the terms of service for members, officers and committee chairmen;
- 13 (4) describe the authority delegated to the chief executive officer and to the medical staff. No
14 assignment, referral, or delegation of authority by the governing body shall relieve the governing
15 body of its responsibility for the conduct of the facility. The governing body shall retain the right
16 to rescind any such delegation;
- 17 (5) require Board approval of the bylaws of any auxiliary organizations established by the hospital;
- 18 (6) require the governing body to review and approve the bylaws of the medical staff organization;
- 19 (7) establish a procedure for processing and evaluating the applications for medical staff membership
20 and for the granting of clinical privileges;
- 21 (8) establish a procedure for implementing, disseminating, and enforcing a Patient's Bill of Rights as
22 ~~described set forth~~ in Rule .3302 of this Subchapter and in compliance with ~~G.S. 131E-117 where~~
23 ~~applicable; and~~ G.S. 131E-117; and
- 24 (9) require the governing body to institute procedures to provide for:
 - 25 (A) orientation of newly elected board members to specific board functions and procedures;
 - 26 (B) the development of procedures for periodic reexamination of the relationship of the board
27 to the total facility community; and
 - 28 (C) the recording of minutes of all governing body and executive committee meetings and the
29 dissemination of those minutes, or summaries thereof, on a regular basis to all members
30 of the governing body.

31 (b) The governing body shall adopt written policies and procedures to assure billing and collection practices in
32 accordance with G. S. 131E-91. These policies and procedures shall include:

- 33 (1) how a patient or patient's representative may dispute a bill;
- 34 ~~[(2) how a patient or patient's representative may appeal a decision made by the facility regarding a~~
35 ~~bill;]~~
- 36 ~~[(3)]~~ (2) issuance of a refund to the patient resulting from overpayment of a bill;

1 ~~[(4)]~~ (3) providing written notification to the patient or patient's responsible party prior to submitting a
2 delinquent bill to a collection agency;

3 ~~[(5)]~~ (4) providing the patient or patient's responsible party with the facility's charity care and financial
4 assistance policies, if the facility is required to file a Schedule H, federal form 990; and

5 ~~[(6)]~~ (5) the requirement that a collections agency, entity, or other assignee obtain written consent from the
6 facility prior to initiating litigation against the patient or responsible party.

7 ~~(b)~~ (c) The written policies, rules, and regulations shall be reviewed ~~at least~~ every three years, revised as necessary,
8 and dated to indicate when last reviewed or revised.

9 (d) To qualify for licensure or license renewal, each facility must provide to the Division, ~~[within six months of]~~
10 upon application, an attestation statement in a ~~[format approved]~~ form provided by the [Department] Division
11 verifying compliance with the requirements in Paragraph (b) of this Rule.

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14 *History Note:* Authority *G.S. 131E-79; ~~G.S. 131E-91; S.L. 2013-382(s.10.1), S.L. 2013-382(s.13.1); [S.L. 2013-~~*
15 *~~382(s.10.1),(s.13.1); G.S. 131E-91;~~*
16 *Eff. January 1, ~~1996.~~ 1996;*
17 *Temporary Amendment Eff. May 1, 2014.*
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