



North Carolina Department of Health and Human Services  
Division of Health Service Regulation  
Office of the Director

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Governor

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Ambassador (Ret.)  
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Drexdal Pratt  
Division Director

October 9, 2014

**MEMORANDUM**

**TO:** Interested Parties

**FROM:** Nadine Pfeiffer, Interim Rule-making Coordinator *NP*  
N.C. Medical Care Commission

**RE:** Proposed repeal of rules 10A NCAC 13H Licensing of Homes for Developmentally Disabled Adults

GS 150B-21.2 requires a rule-making body to notify certain individuals of its intent to amend a permanent rule and adopt new rules. It also requires notification of the date, time and location of the public hearing on the rule and any fiscal note that has been prepared in connection with the proposed rule.

Since 2001, all Developmentally Disabled Adults facilities were converted to either an adult care home or mental health facility, as individuals served in facilities that existed under those rules were determined to be served more appropriately in those type facilities. The rules are being repealed because they are outdated and unnecessary. The North Carolina Medical Care Commission has submitted form OAH 0300 to the Codifier of Rules, Office of Administrative Hearings, indicating its intent to proceed with the repeal of 10A NCAC Subchapter 3H which includes the following rules: .0101-.0104, .0201-.0203, .0301-.0302, .0401-.0411, .0501-.0502, .0601-.0613, .0701-.0704, .0801-.0808, .0901-.0907, .1001-.1003, .1101-.1102, .1201-.1202, .1301-.1302, .1401-.1402, .1501-.1506, .1601-.1607, .1701-.1703 and .1901-.1903.

The proposed rule text will be published in the October 15, 2014 edition of the N.C. Register which can be found at the Office of Administrative Hearings web site at <http://www.ncoah.com/rules/register>.

A public hearing is scheduled for December 9, 2014 at 10:00 a.m. in Room 131, Wright Building, 1201 Umstead Drive, Raleigh, NC 27603. The building is located on the Dorothea Dix Hospital campus. The Commission is accepting public comments on these rules from October 15, 2014 – December 15, 2014. Comments will also be accepted in person at the public hearing. The proposed effective date of these repealed rules is April 1, 2015.

A copy of the proposed rules and instructions for submitting comment can be found at the Division of Health Service Regulation web site at [www.ncdhhs.gov/dhsr/ruleactions.html](http://www.ncdhhs.gov/dhsr/ruleactions.html). If you have questions related to the proposed rule please contact the Adult Care Licensure Section at (919) 855-3765.

Should you have any questions regarding this memorandum please feel free to contact me at 855-3811.



<http://www.ncdhhs.gov/dhsr/>

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Location: 809 Ruggles Drive v Dorothea Dix Hospital Campus v Raleigh, N.C. 27603

Mailing Address: 2701 Mail Service Center • Raleigh, North Carolina 27699-2701

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cc: Dr. John Fagg, MD, Chair, N.C. Medical Care Commission  
Drexdal Pratt, Director, Division of Health Service Regulation  
Emery Milliken, General Counsel, N.C. Department of Health & Human Services  
Stephanie Gilliam, Chief, Mental Health Licensure and Certification Section