



North Carolina Department of Health and Human Services
Division of Health Service Regulation

Pat McCrory
Governor

Richard O. Brajer
Secretary

Mark Payne, Director
Health Service Regulation

MEMORANDUM

DATE: September 15, 2016
TO: Interested Parties
FROM: Nadine Pfeiffer, Rule-review Manager *NP*
RE: Proposed Adoption of Overnight Respite Licensure Rules
10A NCAC 13E Licensing of Overnight Respite Services

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.

The rules are being adopted to establish licensure of adult day care and adult day health facilities providing a program of overnight respite services in accordance with Session Law 2015-241. The North Carolina Medical Care Commission has submitted form OAH 0300 to the Codifier of Rules, Office of Administrative Hearings, indicating its intent to establish Subchapter 13E Licensing of Overnight Respite Services and to adopt the following 45 rules:

10A NCAC 13E .0101, .0201-.0208, .0301-.0318, .0401-.0404, .0501, .0601, .0602, .0701-.0703, .0801-.0807, and .0901.

Certification and approval of the fiscal note was obtained from the Office of State Budget and Management on August 9, 2016 in accordance with G.S. 150B-21.4.

The proposed rule text is attached to this memo and will be published in the September 15, 2016 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 November 2, 2016 at 9:00 a.m. in Room 104, Brown Building, 801 Biggs Drive, Raleigh, NC 27603. The building is located on the Dorothea Dix campus. The Commission is accepting public comments on these rules and fiscal note from September 15, 2016 – November 14, 2016. Comments will also be accepted in person at the public hearing. The proposed effective date of these rules is April 1, 2017.



Office of the Director

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

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A copy of the proposed rules, fiscal note, and instructions for submitting comment can be found at the Division of Health Service Regulation web site at www2.ncdhhs.gov/dhsr/ruleactions.html. If you have questions related to the proposed rule and fiscal note please contact the Adult Care Licensure Section at (919) 855-3765.

cc: Dr. John Fagg, MD, Chair, N.C. Medical Care Commission
Mark Payne, Director, Health Service Regulation
Joel Johnson, Assistant General Counsel, DHHS
Megan Lamphere, Chief, Adult Care Licensure
Libby Kinsey, Program Development Coordinator, Adult Care Licensure
Emery Milliken, Deputy Director, DHSR