



DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF HEALTH SERVICE REGULATION

ROY COOPER
GOVERNOR

MANDY COHEN, MD, MPH
SECRETARY

MARK PAYNE
DIRECTOR

MINUTES OF PUBLIC HEARING
OCTOBER 18, 2017
1:00 P.M.

Division Staff Present:

Nadine Pfeiffer, Rule-making Coordinator

Diana Barbry, Rule-making Assistant

Beverly Speroff, Assistant Chief, Nursing Home Licensure & Certification Section

Others Present:

Jane Baker, NCBENHA

Virginia Niehaus, NC DHHS, DMA

Pam Beatty, NC DHHS, DMA

1. Purpose of Hearing

The purpose of this public hearing was to solicit verbal and/or written comments from the public on the proposed amendment to Nursing Home rule, 10A NCAC 13D .2201 and the fiscal note for the rule.

2. Hearing Summary

The Public Hearing was opened by Nadine Pfeiffer at 1:00 p.m. Attending were representatives from the N.C. Board of Examiners for Nursing Home Administrators and the N.C. DHHS Division of Medical Assistance. One oral comment was received at the meeting and a summary is as follows:

Jane Baker – N.C. Board of Examiners for Nursing Home Administrators

Ms. Baker stated that the DHSR has received a letter from their attorney, Jeff Gray, with comments. The rule was reviewed at their Board meeting on October 4th and they would like to recommend a few changes to the rule. One change is to put a period after the word

OFFICE OF THE DIRECTOR

WWW.NCDHHS.GOV

TEL 919-855-3750 • FAX 919-733-2757

LOCATION: 809 RUGGLES DRIVE • EDGERTON BUILDING • RALEIGH, NC 27603

MAILING ADDRESS: 2701 MAIL SERVICE CENTER • RALEIGH, NC 27699-2701

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER



“administrators” in (a), and delete the rest (of the sentence). Ms. Baker stated that the Board did not see any difference between a “license” and a “temporary license,” as only a “license” is issued although they are called separate. There were several things proposed in the rule the Board has no authority over as noted in the letter submitted. Ms. Baker stated that in (f), the Board would like to add the word “physical” in front of the word “absence.” By doing so, the rule would read “In the physical absence of the administrator, a person shall be on-site who is designated to be in charge of the facility operation.” The concern is that some people think there is no need for an administrator. The Board wants to make it clear that if the designated administrator goes on vacation for a week, they have left a designated person in charge.

3. Adjournment

The meeting was recessed at 1:04 p.m. to allow for additional members of the public to join the meeting. At 1:21 p.m. the meeting was reconvened. Although one additional member of the public had arrived during the recess, that person did not wish to speak on the rule. The comment from the hearing will be taken into consideration by the Agency. The hearing was adjourned at 1:21 p.m.

Respectfully Submitted,



Nadine Pfeiffer, Rule-making Coordinator
October 19, 2017

Attachment

