



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

ROY COOPER • Governor

MANDY COHEN, MD, MPH • Secretary

MARK PAYNE • Director, Division of Health Service Regulation

MEMORANDUM

DATE: December 15, 2020

TO: Interested Parties

FROM: Nadine Pfeiffer, Rule Review Manager *MP*

RE: Proposed Readoption and Amendment of Licensing of Adult Care Homes of Seven or More Beds and Licensing of Family Care Homes Rules
10A NCAC 13F and 10A NCAC 13G

GS 150B-21.2 requires a rule-making body to notify certain individuals of its intent to adopt a rule. It also requires notification of the date, time and location of the public hearing on the rule and any fiscal analysis that has been prepared in connection with the proposed rule. As a result of the periodic review of the rules in Subchapters 10A NCAC 13F and 10A NCAC 13G, 97 rules determined as “Necessary With Substantive Public Interest” are required to be readopted. At this time, one rule for the Licensing of Adult Care Homes of Seven or More Beds is being proposed for readoption and one rule is proposed for amendment. In addition, three rules for the Licensing of Family Care Homes are being proposed for readoption.

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 following rule-making actions:

10A NCAC 13F Adult Care Homes of Seven or More Beds

10A NCAC 13F .0403 Qualifications of Medication Staff (Readopt)
10A NCAC 13F .0406 Test for Tuberculosis (Amend)

10A NCAC 13G Licensing of Family Care Homes

10A NCAC 13G .0402 Qualifications of Supervisor-in-Charge (Readopt)
10A NCAC 13G .0403 Qualifications of Medication Staff (Readopt)
10A NCAC 13G .0405 Test for Tuberculosis (Readopt)

In accordance with G.S. 150B-21.4, certification and approval of the fiscal analysis for these rules was obtained from the Office of State Budget and Management on October 2, 2020.

NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF HEALTH SERVICE REGULATION

OFFICE OF THE DIRECTOR

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AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

The proposed rule text is attached to this memo. The rules were published in today's December 15, 2020 edition of the N.C. Register which can be found at the Office of Administrative Hearings web site at <https://www.oah.nc.gov/documents/nc-register>.

A public hearing is scheduled for February 2, 2021 at 10:00 a.m. by teleconference. If you would like to participate in the public hearing, please use the following conference telephone number: 1-877-848-7030, and access code: 5133201. Ms. Nadine Pfeiffer, DHSR Rule-Review Manager, is accepting public comments on these rules and the fiscal analysis for these rules from December 15, 2020 through February 15, 2021. Comments will also be accepted via teleconference at the public hearing. The proposed effective date of these rules is July 1, 2021.

A copy of the proposed rules, fiscal analysis, and instructions for submitting comment can be found at the Division of Health Service Regulation web site at <https://info.ncdhhs.gov/dhsr/ruleactions.html>.

Should you have questions related to this memorandum or the proposed rule and fiscal note, please feel free to contact the Adult Care Licensure Section at (919) 855-3765.

Enclosures

cc: Mark Payne, Director, Health Service Regulation
Emery Milliken, Deputy Director, DHSR
Joel Johnson, Assistant General Counsel, DHHS
Megan Lamphere, Chief, Adult Care Licensure Section
Tichina Hamer, Adult Care Licensure Section