



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: June 15, 2020

TO: Interested Parties

FROM: Nadine Pfeiffer, Rule Review Manager *NP*

RE: Proposed Amendments and Repeal to Rules for the Licensing of Nursing Homes
10A NCAC 13D

GS 150B-21.2 requires a rule-making body to notify certain individuals of its intent to adopt a permanent rule. 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 proposed rule amendments are being made to be consistent with the federal regulations for Nursing Homes for ventilator assisted care. In addition, one rule is being repealed because of the rule's requirements being incorporated into another rule in the Subchapter.

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:

Emergency Medical Services and Trauma Rules

10A NCAC 13D .2001 Definitions (Amend)

10A NCAC 13D .2506 Physician Services for Ventilator Dependent Patients (Repeal)

10A NCAC 13D .3003 Ventilator ~~Dependence~~ Assisted Care (Amend)

In accordance with G.S. 150B-21.4, certification and approval of the fiscal note was received for these rules from the Office of State Budget and Management on March 12, 2020.

The proposed rule text is attached to this memo and was published in today's June 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 July 14, 2020 at 10:00 a.m. in Room 134, Lineberger Building, 1205 Umstead Drive, Raleigh, NC 27603. The building is in the Dorothea Dix Park. Ms. Nadine Pfeiffer, DHSR Rule Review Manager, is accepting public comments on these rules and fiscal note from June 15, 2020 – August 14, 2020. Comments will also be accepted in person at the public hearing. The proposed effective date of these rules is January 1, 2021.

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

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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 <https://info.ncdhhs.gov/dhsr/ruleactions.html>.

Please feel free to contact the Nursing Home Licensure and Certification Section at (919) 855-4520, should you have questions related to this memorandum or the proposed rule text and fiscal note.

Enclosures

cc: Dr. John Meier, IV, M.D., Chair, N.C. Medical Care Commission
Mark Payne, Director, Health Service Regulation
Emery Milliken, Deputy Director, DHSR
Joel Johnson, Assistant General Counsel, DHHS
Becky Wertz, Chief, Nursing Home Licensure and Certification
Beverly Speroff, Assistant Chief, Nursing Home Licensure and Certification