



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

ROY COOPER • Governor

MANDY COHEN, MD, MPH • Secretary

MARK PAYNE • Director, Division of Health Service Regulation

REPORT OF PUBLIC HEARING

April 28, 2021

10:00 A.M.

Via Conference Call

Division Staff Present:

Nadine Pfeiffer, Rule-review Manager

Diana Barbry, Rule-making Assistant

Beverly Speroff, Assistant Chief, Nursing Home Licensure

Others Present:

Shannon Pointer, The Association for Home and Hospice Care of North Carolina

Purpose of Hearing

This is the public hearing for the proposed readoption and amendment of rules and the fiscal note for the Hospice Licensing Rules 10A NCAC 13K .1109, .1112 - .1116, .1201, and .1204 - .1212 and the amendment of rule 10A NCAC 13D .2001 in the Licensing of Nursing Home Rules. The purpose of this meeting is not to discuss or debate these rules but rather, to accept comments from the public on these proposed rules and fiscal note that was prepared for these rules. The Division will receive public comments through May 14, 2021. All comments, including those from this public hearing, are considered prior to the MCC adopting the proposed rules and submitting them to the Rule Review Commission for approval.

Hearing Summary

The public hearing was opened via conference call by Nadine Pfeiffer at 10:00 a.m. Attending via conference call was one member of the public as listed above. One oral comment was recorded for the rules. The oral comment recorded is as follows:

Shannon Pointer, The Association for Home and Hospice Care of N.C. – Thank you so much for the opportunity to provide a comment. I just have one area that, in review of the proposed changes with our members, some of our members did express some concerns on Section .1100, Hospice Residential Care, 10A NCAC 13K .1109 Resident Care Areas, and this would be (a)(5)(B). The change that now says “*being provided with a cubicle curtain enclosing each bed to ensure visual privacy,*” is an area than members had concern about and wanted to seek clarification on whether or not this is referring to a single patient private room or if this is referring to a double room. In reading the language, we felt we interpret that it would apply for every bedroom and it didn't differentiate between single or double rooms. And there was

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concern, some members did express concern, related to infection control and discussion of the use of a curtain. That was the comment we wanted to make. We feel like we are interpreting it that it would be applicable to Hospice inpatient care as well as Hospice residential care. This an area that we did want to make comment on and hope to seek further clarification. Some members did express appreciation for the previous language that allowed for provisions to ensure visual privacy for treatment or visiting which gave them the provision to determine how to meet that. So that was an area that was expressed to us as a concern and we wanted to provide comment.

Adjournment

These comments will be taken into consideration by the Agency. The hearing was adjourned at 10:06 a.m.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Nadine Pfeiffer".

Nadine Pfeiffer, Rule-review Manager
April 28, 2021

Attachment

