



NC DEPARTMENT OF  
**HEALTH AND  
HUMAN SERVICES**

**ROY COOPER** • Governor

**KODY H. KINSLEY** • Secretary

**MARK PAYNE** • Director, Division of Health Service Regulation

**MEMORANDUM**

**DATE:** March 15, 2022

**TO:** Interested Parties

**FROM:** Nadine Pfeiffer, Rule Review Manager *NP*

**RE:** Proposed Readoption/Amendment/Repeal 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, seven rules for the Licensing of Adult Care Homes of Seven or More Beds are proposed for readoption, four rules are proposed for amendment, and one rule is proposed for repeal. In addition, 12 rules for the Licensing of Family Care Homes are proposed for readoption, and one rule is proposed for readoption as a repeal.

The North Carolina Medical Care Commission has submitted form OAH 0300 to the Codifier of Rules, Office of Administrative Hearings, indicating their intent to proceed with the following rule-making actions:

<u>10A NCAC 13F</u>	<u>Licensing of Adult Care Homes of Seven or More Beds</u>
10A NCAC 13F .0404	Qualifications of Activity Director (Readopt)
10A NCAC 13F .0407	Other Staff Qualifications (Readopt)
10A NCAC 13F .0501	Personal Care Training and Competency (Readopt)
10A NCAC 13F .0502	Personal Care Training Content and Instructors (Repeal)
10A NCAC 13F .0503	Medication Administration Competency (Readopt)
10A NCAC 13F .0504	Competency Validation for Licensed Health Professional Support Tasks (Amend)
10A NCAC 13F .0508	Assessment Training (Amend)
10A NCAC 13F .0905	Activities Program (Amend)
10A NCAC 13F .1006	Medication Storage (Readopt)
10A NCAC 13F .1008	Controlled Substances (Readopt)
10A NCAC 13F .1010	Pharmaceutical Services (Readopt)

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

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AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

10A NCAC 13F .1207 Facilities to Report Resident Deaths (Amend)

10A NCAC 13G Licensing of Family Care Homes

10A NCAC 13G .0404 Qualifications of Activity Director (Readopt)  
10A NCAC 13G .0406 Other Staff Qualifications (Readopt)  
10A NCAC 13G .0501 Personal Care Training and Competency (Readopt)  
10A NCAC 13G .0502 Personal Care Training and Competency Program Approval (Readopt as a Repeal)  
10A NCAC 13G .0503 Medication Administration Competency Evaluation (Readopt)  
10A NCAC 13G .0504 Competency Validation for Licensed Health Professional Support Tasks (Readopt)  
10A NCAC 13G .0507 Training on Cardio-Pulmonary Resuscitation (Readopt)  
10A NCAC 13G .0508 Assessment Training (Readopt)  
10A NCAC 13G .0903 Licensed Health Professional Support (Readopt)  
10A NCAC 13G .0905 Activities Program (Readopt)  
10A NCAC 13G .1005 Self-Administration of Medications (Readopt)  
10A NCAC 13G .1006 Medication Storage (Readopt)  
10A NCAC 13G .1208 Facilities to Report Resident Deaths (Readopt)

In accordance with G.S. 150B-21.3A(d)(2), a fiscal analysis was prepared for rules with substantive change. Approval of the fiscal analysis for these rules was obtained from the Office of State Budget and Management on January 28, 2022 in accordance with G.S. 150B-21.4.

The proposed rule text is attached to this memo. The rules were published in today's March 15, 2022 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 April 28, 2022 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 from March 15, 2022 through May 16, 2022, close of business. Comments will also be accepted at the public hearing via teleconference. The proposed effective date of these rules is October 1, 2022.

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>.

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

Enclosures

cc: John Meier, IV, MD, Chair, N.C. Medical Care Commission  
Mark Payne, Director, Health Service Regulation  
Emery Milliken, Deputy Director, DHSR  
Lisa Corbett, General Counsel, DHHS  
Megan Lamphere, Chief, Adult Care Licensure Section  
Shalisa Jones, Regulatory Analyst, Adult Care Licensure Section  
Libby Kinsey, Assistant Chief, Adult Care Licensure Section