

1 10A NCAC 13G .0704 is proposed for reoption with substantive changes as follows:

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3 **10A NCAC 13G .0704 RESIDENT CONTRACT AND INFORMATION ON HOME CONTRACT,**
4 **INFORMATION ON FACILITY, AND RESIDENT REGISTER**

5 ~~(a)~~ The administrator or supervisor-in-charge shall furnish and review with the resident or ~~his responsible person~~ the
6 resident's authorized representative as defined in Rule .1103 of this Subchapter information on the family care home
7 facility upon admission and when changes are made to that information. The facility shall involve the resident in the
8 review of the resident contract and information on the facility unless the resident is cognitively unable to participate
9 in the discussion. A statement indicating that this information has been received upon admission or amendment as
10 required by this Rule shall be signed and dated by each person to whom it is given. This statement shall be retained in
11 the resident's record in the ~~home.~~ facility. The information shall ~~include:~~ include the following:

- 12 (1) ~~a copy of the home's resident contract specifying rates for resident services and accommodations,~~
13 ~~including the cost of different levels of service, if applicable, any other charges or fees, and any~~
14 ~~health needs or conditions the home has determined it cannot meet pursuant to G.S. 131D-2(a1)(4).~~
15 ~~In addition, the following applies: the resident contract to which the following applies:~~

16 ~~(A)~~ the contract shall specify charges for resident services and accommodations, including the
17 cost of different levels of service, description of levels of care and services, and any other
18 charges or fees;

19 ~~(B)~~ the contract shall disclose any health needs or conditions that the facility has determined it
20 cannot meet;

21 ~~(c)(C)~~ The the contract shall be signed and dated by the administrator or supervisor-in-charge and
22 the resident or his responsible person the resident's authorized representative and a copy
23 given to the resident or his responsible person; the resident's authorized representative and
24 a copy kept in the resident's record;

25 ~~(b)(D)~~ The the resident or his responsible person the resident's authorized representative shall be
26 notified as soon as any change is known, but not less than 30 days for rate changes initiated
27 by the home, of any rate changes or other changes in the contract affecting the resident
28 services and accommodations given a written 30-day notice prior to any change in charges
29 for resident services and accommodations, including the cost of different levels of service,
30 description of level of care and services, and any other charges or fees, and be provided an
31 amended copy of the contract for review and signature; confirmation of receipt;

32 ~~(e)~~ A copy of each signed contract shall be kept in the resident's record in the home;

33 ~~(d)(E)~~ Gratuities gratuities in addition to the established rates shall not be accepted; and

34 ~~(e)(F)~~ The maximum monthly rate that may be charged to Special Assistance recipients is as
35 established by the North Carolina Social Services Commission and the North Carolina
36 General Assembly;

Note: Facilities may accept payments for room and board from a third party, such as family member, charity or faith community, if the payment is made voluntarily to supplement the cost of room and board for the added benefit of a private room.

- (2) a written copy of any house rules, including ~~the conditions for the discharge and transfer of residents, the refund policies, and the home's facility's~~ policies on smoking, alcohol ~~consumption and visitation~~ consumption, visitation, refunds, and the requirements for discharge of residents consistent with the rules in this Subchapter and amendments disclosing any changes in the house ~~rules;~~ rules. The house rules shall be in compliance with G.S. 131D-21;
- (3) a copy of the Declaration of Residents' Rights as found in G.S. 131D-21;
- (4) a copy of the ~~home's facility's~~ grievance procedures ~~which that~~ shall indicate how the resident is to present complaints and make suggestions as to the ~~home's facility's~~ policies and services on behalf of self or others; and
- (5) a statement as to whether the ~~home facility~~ has signed Form DSS-1464, Statement of Assurance of Compliance with Title VI of the Civil Rights Act of 1964 for Other Agencies, Institutions, Organizations or Facilities, and which shall also indicate that if the ~~home facility~~ does not choose to comply or is ~~found to be in non-compliance~~ non-compliant the residents of the ~~home facility~~ would not be able to receive State-County Special Assistance for Adults and the ~~home facility~~ would not receive supportive services from the county department of social services.

(b) A family care home's administrator or supervisor-in-charge and the resident or the resident's responsible person shall complete and sign the Resident Register initial assessment within 72 hours of the resident's admission to the facility in accordance with G.S. 131D-2.15. The facility shall involve the resident in the completion of the Resident Register unless the resident is cognitively unable to participate. The Resident Register shall include the following:

- (1) resident's identification information including the resident's name, date of birth, sex, admission date, medical insurance, family and emergency contacts, advanced directives, and physician's name and address;
- (2) resident's current care needs including activities of daily living and services, use of assistive aids, orientation status;
- (3) resident's preferences including personal habits, food preferences and allergies, community involvement, and activity interests;
- (4) resident's consent and request for assistance including the release of information, personal funds management, personal lockable space, discharge information, and assistance with personal mail;
- (5) name of the individual identified by the resident who is to receive a copy of the notice of discharge per G.S. 131D-4.8; and
- (6) resident's consent including a signature confirming the review and receipt of information contained in the form.

The Resident Register is available on the internet website, <https://info.ncdhhs.gov/dhsr/acls/pdf/resregister.pdf>, at no charge. The facility may use a resident information form other than the Resident Register as long as it contains same

1 information as the Resident Register. Information on the Resident Register shall be kept updated and maintained in
2 the resident's record.

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4 *History Note: Authority G.S. 131D-2.16; 143B-165;*

5 *Eff. April 1, 1984;*

6 *Amended Eff; July 1, 1990; April 1, 1987;*

7 *Temporary Amendment Eff. July 1, 2004;*

8 *Amended Eff. July 1, ~~2005~~ 2005;*

9 *Readopted Eff. January 1, 2024.*