

1 10A NCAC 14C .1401 is proposed for readoption with substantive changes as follows:

2
3 **SECTION .1400 – CRITERIA AND STANDARDS FOR LEVEL IV NEONATAL INTENSIVE CARE**
4 **SERVICES**

5
6 **10A NCAC 14C .1401 DEFINITIONS**

7 The definitions in this Rule shall apply to all rules in this Section:

- 8 (1) ~~"Approved neonatal service" means a neonatal service that was not operational prior to the~~
9 ~~beginning of the review period.~~
- 10 (2) ~~"Existing neonatal service" means a neonatal service in operation prior to the beginning of the~~
11 ~~review period.~~
- 12 (3) ~~"High risk obstetric patients" means those patients requiring specialized services provided by an~~
13 ~~acute care hospital to the mother and fetus during pregnancy, labor, delivery and to the mother after~~
14 ~~delivery. The services are characterized by specialized facilities and staff for the intensive care and~~
15 ~~management of high risk maternal and fetal patients before, during, and after delivery.~~
- 16 (4) ~~"Level I neonatal services" means services provided by an acute care hospital to full term and pre-~~
17 ~~term neonates that are stable, without complications, and may include neonates that are small for~~
18 ~~gestational age or large for gestational age.~~
- 19 (5) ~~"Level II neonatal service" means services provided by an acute care hospital in a licensed acute~~
20 ~~care bed to neonates and infants that are stable without complications but require special care and~~
21 ~~frequent feedings; infants of any weight who no longer require Level III or Level IV neonatal~~
22 ~~services, but still require more nursing hours than normal infants; and infants who require close~~
23 ~~observation in a licensed acute care bed.~~
- 24 (6) ~~"Level III neonatal service" means services provided by an acute care hospital in a licensed acute~~
25 ~~care bed to neonates or infants that are high risk, small (approximately 32 and less than 36~~
26 ~~completed weeks of gestational age) but otherwise healthy, or sick with a moderate degree of illness~~
27 ~~that are admitted from within the hospital or transferred from another facility requiring intermediate~~
28 ~~care services for sick infants, but not intensive care. Level III neonates or infants require less~~
29 ~~constant nursing care than Level IV services, but care does not exclude respiratory support.~~
- 30 (7) ~~"Level IV neonatal service" means neonatal intensive care services provided by an acute care~~
31 ~~hospital in a licensed acute care bed to high risk medically unstable or critically ill neonates~~
32 ~~(approximately under 32 weeks of gestational age) or infants requiring constant nursing care or~~
33 ~~supervision not limited to continuous cardiopulmonary or respiratory support, complicated surgical~~
34 ~~procedures, or other intensive supportive interventions.~~
- 35 (8) ~~"Neonatal bed" means a licensed acute care bed used to provide Level II, III or IV neonatal services.~~
- 36 (9) ~~"Neonatal intensive care services" shall have the same meaning as defined in G.S. 131E-176(15b).~~

1 (10) ~~"Neonatal service area" means a geographic area defined by the applicant from which the patients~~
 2 ~~to be admitted to the service will originate.~~

3 (11) ~~"Neonatal services" means any of the Level I, Level II, Level III or Level IV services defined in this~~
 4 ~~Rule.~~

5 (12) ~~"Obstetric services" means any normal or high risk services provided by an acute care hospital to~~
 6 ~~the mother and fetus during pregnancy, labor, delivery and to the mother after delivery.~~

7 (13) ~~"Perinatal services" means services provided during the period shortly before and after birth.~~

8 The following definitions shall apply to all rules in this Section:

9 (1) "Approved neonatal intensive care unit (NICU) beds" means acute care beds in a hospital that were
 10 issued a certificate of need to provide Level IV neonatal intensive care services but are not providing
 11 those services as of the application deadline for the review period.

12 (2) "Average daily census (ADC)" means the total number of NICU days of care provided during a full
 13 fiscal year of operation divided by 365 days.

14 (3) "Existing NICU beds" means acute care beds in a hospital that are providing Level IV neonatal
 15 intensive care services as of the application deadline for the review period.

16 (4) "Level IV neonatal intensive care services" means services provided to high-risk medically unstable
 17 or critically ill neonates less than 32 weeks of gestational age, or infants requiring constant nursing
 18 care or supervision in NICU beds.

19 (5) "Occupancy rate" means the ADC divided by the total number of existing, approved, and proposed
 20 NICU beds expressed as a percentage.

21 (6) "Proposed NICU beds" means the acute care beds proposed to be developed a hospital in the
 22 application under review.

23
 24 *History Note: Authority G.S. 131E-177(1); ~~131E-183~~; 131E-183(b);*

25 *Temporary Adoption Eff. September 1, 1993 for a period of 180 days or until the permanent rule*
 26 *becomes effective, whichever is sooner;*

27 *Eff. January 4, 1994;*

28 *Amended Eff. November 1, 1996;*

29 *Temporary Amendment Eff. March 15, 2002;*

30 *Amended Eff. April 1, ~~2003~~; 2003;*

31 *Readopted Eff. January 1, 2024.*