



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

ROY COOPER • Governor

KODY H. KINSLEY • Secretary

MARK PAYNE • Director, Division of Health Service Regulation

MEMORANDUM

DATE: September 16, 2024

TO: Interested Parties

FROM: Shanah Black, Rule Review Manager *SFB*

RE: Proposed Readoption 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, 33 for the Licensing of Adult Care Homes of Seven or More Beds and the Licensing of Family Care Homes are proposed for readoption, 6 for amendment and 1 for repeal.

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:

10A NCAC 13F Licensing of Adult Care Homes of Seven or More Beds

10A NCAC 13F .0206	Amendment
10A NCAC 13F .0301	Readoption
10A NCAC 13F .0302	Readoption
10A NCAC 13F .0304	Readoption
10A NCAC 13F .0305	Readoption
10A NCAC 13F .0306	Readoption
10A NCAC 13F .0307	Readoption
10A NCAC 13F .0309	Readoption
10A NCAC 13F .0310	Repeal
10A NCAC 13F .0311	Readoption
10A NCAC 13F .0801	Readoption
10A NCAC 13F .0802	Readoption
10A NCAC 13F .1304	Readoption
10A NCAC 13F .1501	Amendment
10A NCAC 13F .1601	Readoption
10A NCAC 13F .1602	Readoption
10A NCAC 13F .1603	Readoption
10A NCAC 13F .1604	Readoption
10A NCAC 13F .1605	Readoption

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

OFFICE OF THE DIRECTOR

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AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

10A NCAC 13G Licensing of Family Care Homes

10A NCAC 13G .0206	Readoption
10A NCAC 13G .0301	Readoption
10A NCAC 13G .0302	Readoption
10A NCAC 13G .0305	Amendment
10A NCAC 13G .0306	Readoption
10A NCAC 13G .0307	Readoption
10A NCAC 13G .0308	Amendment
10A NCAC 13G .0309	Readoption
10A NCAC 13G .0312	Readoption
10A NCAC 13G .0313	Amendment
10A NCAC 13G .0315	Readoption
10A NCAC 13G .0316	Amendment
10A NCAC 13G .0317	Readoption
10A NCAC 13G .0318	Readoption
10A NCAC 13G .0801	Readoption
10A NCAC 13G .0802	Readoption
10A NCAC 13G .1601	Readoption
10A NCAC 13G .1602	Readoption
10A NCAC 13G .1603	Readoption
10A NCAC 13G .1604	Readoption
10A NCAC 13G .1605	Readoption

Approval of the fiscal analysis for these rules was obtained from the Office of State Budget and Management on April 22, 2024 in accordance with G.S. 150B-21.4. Prior to republication in the N.C. Registry, Office of State Budget and Management reaffirmed on August 22, 2024 that the fiscal analysis for the rules has not changed. OSBM approved the fiscal note upon review of the revisions.

The proposed rule text is attached to this memo. The rules were published in today's September 16, 2024 edition of the N.C. Register which can be found at the Office of Administrative Hearings website at <https://www.oah.nc.gov/rules-division/north-carolina-register>.

A public hearing is scheduled for October 22, 2024 at 10:00 a.m. in Room 026, Edgerton Building, 809 Ruggles Drive, Raleigh, NC 27603. The building is in the Dorothea Dix Park. Ms. Shanah Black, DHSR Rule-Review Manager, is accepting public comments on these rules and fiscal analysis from September 16, 2024 through November 15, 2024, close of business. Comments will also be accepted in person at the public hearing. The proposed effective date of these rules is as follows:

Group A: February 1, 2025

Group B: May 1, 2025

Group C: August 1, 2025

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 text 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
Raj Premakumar, Deputy General Counsel, DHHS
Megan Lamphere, Chief, Adult Care Licensure Section
Libby Kinsey, Assistant Chief, Adult Care Licensure Section
Shalisa Jones, Regulatory Analyst, Adult Care Licensure Section