

1 10A NCAC 13S .0101 is proposed for adoption as follows:
2

3 **SUBCHAPTER 13S - LICENSURE OF SUITABLE FACILITIES FOR THE PERFORMANCE OF**
4 **SURGICAL ABORTIONS**

5
6 **SECTION .0100 – LICENSURE PROCEDURE**

7
8 **10A NCAC 13S .0101 DEFINITIONS**

9 The following definitions will apply throughout this Subchapter:

- 10 (1) "Abortion" means the termination of a pregnancy as defined in G.S 90-21.81(1c).
11 (2) "Clinic" means a freestanding facility neither physically attached nor operated by a licensed hospital
12 for the performance of abortions completed during the first 12 weeks of pregnancy.
13 (3) "Division" means the Division of Health Service Regulation of the North Carolina Department of
14 Health and Human Services.
15 (4) "Gestational age" means the length of pregnancy as indicated by the date of the first day of the last
16 normal monthly menstrual period, if known, or as determined by ultrasound.
17 (5) "Governing authority" means the individual, agency, group, or corporation appointed, elected or
18 otherwise designated, in which the ultimate responsibility and authority for the conduct of the
19 abortion clinic is vested pursuant to Rule .0318 of this Subchapter.
20 (6) "Health Screening" means an evaluation of an employee or contractual employee, including
21 tuberculosis testing, to identify any underlying conditions that may affect the person's ability to
22 work in the clinic.
23 (7) "New clinic" means one that is not certified as an abortion clinic by the Division as of July 1, 2023,
24 and has not been certified or licensed within the previous six months of the application for licensure.
25 (8) "Registered Nurse" means a person who holds a valid license issued by the North Carolina Board
26 of Nursing to practice professional nursing in accordance with the Nursing Practice Act, G.S. 90,
27 Article 9A.

28
29 History Note: Authority G.S. 131E-153; 131E-153.5; 143B-165.

30 Codifier determined that findings of need did not meet criteria for emergency rule on October 30,
31 2023;

32 Emergency Rule Eff. November 14, 2023;

33 Temporary Adoption Eff. February 8, 2024;

34 Adopted Eff. October 1, 2024.