

1 10A NCAC 13B .3106 is proposed for amendment as follows:

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3 **10A NCAC 13B .3106 LICENSURE SURVEYS**

4 (a) Prior to the initial issuance of a license to operate a facility, the Division shall conduct a survey to determine  
5 compliance with rules promulgated pursuant to G.S. 131E-79.

6 (b) The Division may conduct an investigation of a ~~specifie~~ complaint in any facility.

7 (c) ~~Facilities that are accredited by the Joint Commission on Accreditation of Healthcare Organizations (JCAHO)~~  
8 ~~shall choose one of the following options:~~

9 (1) ~~Accredited hospitals may agree to provide the Division with:~~

10 (A) ~~JCAHO Accreditation Certificate;~~

11 (B) ~~JCAHO Statement of Construction;~~

12 (C) ~~JCAHO Reports and Recommendations;~~

13 (D) ~~JCAHO Interim Self Survey Reports; and~~

14 (E) ~~permission to participate in any regular survey conducted by the JCAHO.~~

15 ~~If a review of the information listed in Parts (c)(1)(A) — (c)(1)(D) of this Rule indicates non compliance with~~  
16 ~~licensure rules contained in this Subchapter, then the Division may conduct surveys or partial surveys with special~~  
17 ~~emphasis on deficiencies noted. If a review indicates compliance with licensure regulations contained in this~~  
18 ~~Subchapter, the Division will not conduct a licensure survey except as provided in Paragraphs (b), (c)(1)(E), and (d)~~  
19 ~~of this Rule.~~

20 (2) ~~Accredited hospitals which do not agree to provide the Division with JCAHO reports found in~~  
21 ~~Subparagraph (c)(1) of this Rule shall be surveyed at least once every three years.~~

22 ~~through an accrediting body approved pursuant to section 1865(a) of the Social Security Act shall not be subject to~~  
23 ~~routine inspections.~~

24 ~~(d) The Division reserves the right to conduct any validation survey in facilities that choose the option under~~  
25 ~~Subparagraph (c)(1) of this Rule.~~

26 ~~(e)~~ (d) The Division shall survey non-accredited facilities at least once every three years.

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28 *History Note: Authority G.S. 131E-79; G.S. 131E-80*

29 *Eff. January 1, 1996;*

30 *Amended Eff. October 1, 2010.*