

G.S. 150B-21.3A Report for 10A NCAC 13D, RULES FOR THE LICENSING OF NURSING HOMES

Agency - Health and Human Services, NC Medical Care Commission

Comment Period - June 30, 2014-September 3, 2014

Date Submitted to APO - Filled in by RRC staff

Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]
Copy all columns in this row to the right of this yellow cell and paste in new rows				Select One	Select One		Select One	Select One
SECTION .2000 GENERAL INFORMATION	10A NCAC 13D .2001	DEFINITIONS	Eff. January 1, 1996.	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42CFR 488.301	Yes	Necessary with substantive public interest
SECTION .2100 - LICENSURE	10A NCAC 13D .2101	APPLICATION REQUIREMENTS	Amended Eff. July 1, 2012.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2102	ISSUANCE OF LICENSE	Eff. January 1, 1996.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2103	LENGTH OF LICENSURE	Eff. January 1, 1996.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2104	REQUIREMENTS FOR LICENSURE RENEWAL OR CHANGES	Amended Eff. September 1, 2006.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2105	TEMPORARY CHANGE IN BED CAPACITY	Amended Eff. March 1, 2013.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2106	DENIAL, AMENDMENT, OR REVOCATION OF LICENSE	Amended Eff. January 1, 2013.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2107	SUSPENSION OF ADMISSIONS	Amended Eff. January 1, 2013.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2108	PROCEDURE FOR APPEAL	Eff. January 1, 1996.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2109	INSPECTIONS	Eff. January 1, 1996.	Necessary without substantive public interest	No		Yes	Necessary without substantive public interest
	10A NCAC 13D .2111	ADMINISTRATIVE PENALTY DETERMINATION PROCESS	Amended Eff. July 1, 2014	Necessary without substantive public interest	No		No	Necessary without substantive public interest
SECTION .2200 - GENERAL STANDARDS OF ADMINISTRATION	10A NCAC 13D .2201	ADMINISTRATOR	Eff. January 1, 1996.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2202	ADMISSIONS	Amended Eff. January 1, 2013.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2203	PATIENTS NOT TO BE ADMITTED	Amended Eff. January 1, 2013.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2204	RESPIRE CARE	Eff. January 1, 1996.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2205	DISCHARGE OF PATIENTS	Eff. January 1, 1996.	Necessary without substantive public interest	No		No	Necessary without substantive public interest

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	10A NCAC 13D .2206	MEDICAL DIRECTOR	Eff. January 1, 1996.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2207	PATIENT RIGHTS	Eff. January 1, 1996.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2208	SAFETY	Eff. January 1, 1996.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2209	INFECTION CONTROL	Amended Eff. July 1, 2012.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2210	REPORTING AND INVESTIGATING ABUSE, NEGLECT OR MISAPPROPRIATION	Amended Eff. July 1, 2014.E73	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42USC 1395 & 1396	Yes	Necessary with substantive public interest
	10A NCAC 13D .2211	PERSONNEL STANDARDS	Eff. January 1, 1996.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2212	QUALITY ASSURANCE COMMITTEE	Eff. January 1, 1996.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
SECTION .2300 - PATIENT AND RESIDENT CARE AND SERVICES	10A NCAC 13D .2301	PATIENT ASSESSMENT AND PLAN OF CARE	Amended Eff. February 1, 2013.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2302	NURSING SERVICES	Eff. January 1, 1996.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2303	NURSE STAFFING REQUIREMENTS	Amended Eff. January 1, 2013.	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	10A NCAC 13D .2304	NURSE AIDES	Amended Eff. July 1, 2012.	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42USC 1395 & 1396	No	Necessary without substantive public interest
	10A NCAC 13D .2305	QUALITY OF CARE	Eff. January 1, 1996.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2306	MEDICATION ADMINISTRATION	Amended Eff. January 1, 2013.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2307	DENTAL CARE AND SERVICES	Eff. January 1, 1996.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2308	ADULT CARE HOME PERSONNEL REQUIREMENTS	Amended Eff. July 1, 2012.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2309	CARDIO-PULMONARY RESUSCITATION	Eff. October 1, 2006.	Necessary without substantive public interest	No		No	Necessary without substantive public interest

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SECTION .2400 - MEDICAL RECORDS	10A NCAC 13D .2401	MAINTENANCE OF MEDICAL RECORDS	Eff. January 1, 1996.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2402	PRESERVATION OF MEDICAL RECORDS	Amended Eff. November 1, 2014.	Necessary with substantive public interest	No		No	Necessary with substantive public interest
SECTION .2500 - PHYSICIAN'S SERVICES	10A NCAC 13D .2501	AVAILABILITY OF PHYSICIAN'S SERVICES	Eff. January 1, 1996.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2502	PRIVATE PHYSICIAN	Eff. January 1, 1996.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2503	USE OF NURSE PRACTITIONERS AND PHYSICIAN ASSISTANTS	Amended Eff. November 1, 2014.	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	10a NCAC 13D .2504	LABORATORY AND RADIOLOGY SERVICES	Eff. January 1, 1996.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2505	BRAIN INJURY LONG-TERM CARE PHYSICIAN SERVICES	Eff. January 1, 1996.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2506	PHYSICIAN SERVICES FOR VENTILATOR DEPENDENT PATIENTS	Eff. January 1, 1996.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
SECTION .2600 - PHARMACEUTICAL SERVICES	10A NCAC 13D .2601	AVAILABILITY OF PHARMACEUTICAL SERVICES	Eff. January 1, 1996.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2602	PHARMACY PERSONNEL	Eff. January 1, 1996.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2603	ADMINISTRATIVE RESPONSIBILITIES	Eff. January 1, 1996.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2604	DRUG PROCUREMENT	Amended Eff. January 1, 2013.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2605	DRUG STORAGE AND DISPOSITION	Amended Eff. July 1, 2012.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2606	PHARMACEUTICAL RECORDS	Amended Eff. July 1, 2012.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2607	EMERGENCY DRUGS	Amended Eff. July 1, 2012.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
SECTION .2700 - DIETARY SERVICES	10A NCAC 13D .2701	PROVISION OF NUTRITION AND DIETETIC SERVICES	Amended Eff. August 1, 2012.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
SECTION .2800 - ACTIVITIES, RECREATION AND SOCIAL SERVICES	10A NCAC 13D .2801	ACTIVITY SERVICES	Eff. January 1, 1996.	Necessary without substantive public interest	No		No	Necessary without substantive public interest

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	10A NCAC 13D .2802	SOCIAL SERVICES	Eff. January 1, 1996.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
SECTION .2900 - SPECIAL REQUIREMENTS	10A NCAC 13D .2901	REPORT OF DEATH	Eff. January 1, 1996.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .2902	PETS	Eff. January 1, 1996.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
SECTION .3000 - SPECIALLY DESIGNATED UNITS	10A NCAC 13D .3003	VENTILATOR DEPENDENCE	Eff. January 1, 1996.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .3004	BRAIN INJURY LONG-TERM CARE	Eff. January 1, 1996.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .3005	SPECIAL NURSING REQUIREMENTS FOR BRAIN INJURY LONG-TERM CARE	Eff. January 1, 1996.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .3031	ADDITIONAL REQUIREMENTS FOR SPINAL CORD INJURY PATIENTS	Eff. January 1, 1996.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
SECTION .3100 - DESIGN AND CONSTRUCTION	10A NCAC 13D .3101	GENERAL RULES	Amended Eff. July 1, 2014.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .3102	APPLICATION OF PHYSICAL PLANT REQUIREMENTS	Eff. January 1, 1996.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .3103	SITE	Amended Eff. July 1, 2014.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .3104	PLANS AND SPECIFICATIONS	Eff. January 1, 1996.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
SECTION .3200 - FUNCTIONAL REQUIREMENTS	10A NCAC 13D .3201	REQUIRED SPACES	Amended Eff. August 1, 2014.	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	10A NCAC 13D .3202	FURNISHINGS	Amended Eff. July 1, 2014.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
SECTION .3400 - MECHANICAL: ELECTRICAL: PLUMBING	10A NCAC 13D .3401	HEATING AND AIR CONDITIONING	Amended Eff. July 1, 2014.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .3402	EMERGENCY ELECTRICAL SERVICE	Amended Eff. July 1, 2014.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .3403	GENERAL ELECTRICAL	Amended Eff. July E241, 2014.	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	10A NCAC 13D .3404	OTHER	Amended Eff. July 1, 2014.	Necessary without substantive public interest	No		No	Necessary without substantive public interest