

**Rule for: Nursing Homes**  
**Type of Rule: Amendment**  
**MCC Action: Initiate Rulemaking**

**Exhibit D/1**  
**4/16/2017**

1 10A NCAC 13D .2201 is proposed for amendment as follows:

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3 **10A NCAC 13D .2201 ADMINISTRATOR**

4 (a) ~~The A~~ facility shall be under the ~~direct management~~ control of an ~~administrator.~~ administrator licensed by the  
5 North Carolina State Board of Examiners for Nursing Home Administrators or one with a temporary license issued in  
6 accordance with G.S. 90-278(3). ~~The administrator shall not serve simultaneously as the director of nursing.~~

7 (b) If an administrator is not the sole owner of a facility, his or her authority and responsibility shall be ~~clearly~~ defined  
8 in a written agreement or in the facility's governing bylaws.

9 (c) The administrator shall be responsible for the operation of a facility on a full-time basis.

10 (d) The administrator shall ~~ensure patient services are provided in accordance~~ comply with all applicable local, State  
11 ~~and federal regulations and codes, and with acceptable standards of practice that apply to professionals providing such~~  
12 ~~services in the facility.~~ the rules of this Subchapter.

13 (e) The administrator shall be responsible for developing and implementing policies for the management and  
14 operation of the ~~facility.~~ facility as set forth in 21 NCAC 37B .0204 incorporated herein by reference including  
15 subsequent amendments and editions. These rules can be accessed free of charge at  
16 <http://reports.oah.state.nc.us/ncac.asp>.

17 (f) In the ~~temporary~~ absence of the administrator, a person shall be on-site who is designated to be in charge of the  
18 ~~overall~~ facility operation.

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20 *History Note: Authority G.S. ~~90-284~~; 131E-104; 131E-116;*

21 *RRC objection due to lack of statutory authority Eff. July 13, 1995;*

22 *Eff. January 1, 1996;*

23 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22,*

24 *~~2015.~~ 2015.*

25 *Amended Eff. January 1, 2018.*