

1 10A NCAC 13D .2105 is proposed for amendment as follows:

2

3 **10A NCAC 13D .2105 TEMPORARY CHANGE IN BED CAPACITY**

4 (a) A ~~life care center,~~ continuing care retirement community, having an agreement to care for all residents
5 regardless of level of care needs, may temporarily increase bed capacity by 10 percent or 10 beds, whichever is less,
6 over the licensed bed capacity for a period up to ~~30~~ 60 days following notification of and approval by the
7 ~~Department.~~ Nursing Home Licensure and Certification Section.

8 (b) A facility other than a ~~life care center~~ continuing care retirement community shall accept no more ~~patients or~~
9 residents than the total number for which it is licensed except in an emergency situation. ~~situation approved and~~
10 ~~confirmed in writing by the Licensure and Certification Section of the Division of Health Service Regulation.~~
11 Emergency authorizations shall not exceed ~~30~~ 60 calendar days and shall not exceed the total ~~licensed bed capacity~~
12 ~~for the facility.~~ number of beds licensed by the Division.

13 (c) The Department shall authorize, in writing, a temporary increase in licensed beds in accordance with Paragraphs

14 (a) and (b) of this Rule, if it is determined that:

- 15 (1) the increase is not associated with a capital expenditure; and
16 (2) the increase would not jeopardize the health, safety and welfare of the patients.

17

18 *History Note: Authority G.S. 131E-104; 131E-112;*

19 *Eff. January 1, ~~1996.~~ 1996;*

20 *Amended Eff. January 1, 2013.*