

1 10A NCAC 13D .2210 is proposed for amendment as follows:

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3 **10A NCAC 13D .2210 REPORTING AND INVESTIGATING ABUSE, NEGLECT OR**
4 **MISAPPROPRIATION**

5 (a) A facility shall take measures to prevent patient abuse, patient neglect, or misappropriation of patient property,
6 including orientation and instruction of facility staff on patients' rights, and the screening of and requesting of
7 references for all prospective employees.

8 (b) The administrator shall ensure that the Health Care Personnel Registry Section of the Division of Health Service
9 Regulation is notified within ~~24 hours~~ one working day of the health care facility becoming aware of all allegations
10 against health care personnel as defined in G.S. 131E-256(a)(1), which includes abuse, neglect, misappropriation of
11 resident property, misappropriation of the property of the facility, diversion of drugs belonging to a health care
12 facility or a resident, fraud against a health care facility or a resident, and injuries of unknown source in accordance
13 with 42 CFR subsection 483.13 which is incorporated by reference.

14 (c) The facility shall investigate allegations of patient abuse, patient neglect, or misappropriation of patient property
15 ~~in accordance with 42 CFR subsection 483.13 which is incorporated by reference, including subsequent~~
16 ~~amendments~~, and shall document all relevant information pertaining to such investigation and shall take the
17 necessary steps to prevent further incidents of abuse, neglect or misappropriation of patient property while the
18 investigation is in progress. The Code of Federal Regulations, Title 42, Public Health, Part 430 to the end, revised
19 as of October 1, 2005, Description Item 572-B, may be purchased from the U.S. Government Printing Office, P.O.
20 Box 979050, St. Louis, MO 63197-9000, by a direct telephone call to the G.P.O. at (866) 512-1800 or online at
21 <http://bookstore.gpo.gov/> or accessed electronically at <http://ecfr.gpoaccess.gov/>.

22 (d) The administrator shall ensure that the report of investigation is printed or typed and postmarked to the Health
23 Care Personnel Registry Section of the Division of Health Service Regulation within five working days of the
24 allegation. The report shall include:

- 25 (1) the date and time of the alleged incident of abuse, neglect or misappropriation of property;
26 (2) the patient's full name and room number;
27 (3) details of the allegation and any injury;
28 (4) names of the accused and any witnesses;
29 (5) names of the facility staff who investigated the allegation;
30 (6) results of the investigation;
31 (7) and any corrective action that may have been taken by the facility.

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33 *History Note: Authority G.S. 131E-104; 131E-131; 131E-255; 131E-256;*
34 *Eff. January 1, 1996;*
35 *Amended Eff. August 1, 2008; October 1, ~~1998~~ 1998;*
36 *Amended Eff. January 1, 2013.*