

1 10A NCAC 13D .2210 is amended with changes as published in NCR 27:03, PP. 310-320, as follows:

2
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 facility shall ensure that the Health Care Personnel Registry Section of the Division of Health
9 Service Regulation is notified within 24 hours one working day of the health care facility facility's becoming aware
10 of all allegations any allegation against health care personnel as defined in G.S. 131E-256(a)(1), which includes
11 abuse, neglect, misappropriation of resident property, misappropriation of the property of the facility, diversion of
12 drugs belonging to a health care facility or a resident, fraud against a health care facility or a resident, and injuries of
13 unknown source in accordance with 42 CFR subsection 483.13 which is incorporated by reference. G.S. 131E-
14 256(a)(1).

15 (c) The facility shall investigate allegations of patient abuse, patient neglect, or misappropriation of patient property
16 in accordance with 42 CFR subsection 483.13 which is incorporated by reference, including subsequent
17 amendments, as defined in G.S. 131E-256(a)(1) and shall document all relevant information pertaining to such
18 investigation and shall take the necessary steps to prevent further incidents of abuse, neglect or misappropriation of
19 patient property while the investigation is in progress. The Code of Federal Regulations, Title 42, Public Health, Part
20 430 to the end, revised as of October 1, 2005, Description Item 572 B, may be purchased from the U.S. Government
21 Printing Office, P.O. Box 979050, St. Louis, MO 63197 9000, by a direct telephone call to the G.P.O. at (866) 512-
22 1800 or online at <http://bookstore.gpo.gov/> or accessed electronically at <http://ecfr.gpoaccess.gov/>.

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

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

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