



**North Carolina Department of Health and Human Services  
Division of Health Service Regulation  
Office of the Director**

Pat McCrory  
Governor

Aldona Z. Wos, M.D.  
Ambassador (Ret.)  
Secretary DHHS  
  
Drexdal Pratt  
Division Director

**MEMORANDUM**

**DATE:** 06/23/2015  
**TO:** Interested Parties  
**FROM:** Nadine Pfeiffer, Rule-making Coordinator *NP*  
**RE:** Proposed Repeal of Overnight Respite in Certified Adult Day Care Rule

GS 150B-21.2 requires a rule-making body to notify certain individuals of its intent to amend a permanent rule and adopt new rules. It also requires notification of the date, time and location of the public hearing on the rule and any fiscal note that has been prepared in connection with the proposed rule.

This rule is unnecessary due to a recent act of the General Assembly, Senate Bill 291 in Session Law 2015-52, and is being proposed to be repealed. Accordingly, the Department of Health and Human Services has submitted form OAH 0300 to the Codifier of Rules, Office of Administrative Hearings, indicating its intent to proceed with the following rule-making actions:

10A NCAC 14D Overnight Respite in Certified Adult Day Care Programs

10A NCAC 14D .0101 Scope (Repeal)

In accordance with G.S. 150B-21.4(d), the Department of Health and Human Services is not required to prepare a fiscal note on the proposed rule change.

The proposed rule text will be published in the July 15, 2015 edition of the N.C. Register which can be found at the Office of Administrative Hearings web site at <http://www.ncoah.com/rules/register>.

A public hearing is scheduled for September 1, 2015 at 9:00 a.m. in Room 104, Brown Building, 801 Biggs Drive, Raleigh, NC 27603. The building is located on the Dorothea Dix Hospital campus. The Department of Health and Human Services is accepting public comments on this rule from July 15, 2015 until September 14, 2015. Comments will also be accepted in person at the public hearing. The proposed effective date of these rules is November 1, 2015.

A copy of the proposed rules, draft fiscal note, and instructions for submitting comment can be found at the Division of Health Service Regulation web site at [www.ncdhhs.gov/dhsr/ruleactions.html](http://www.ncdhhs.gov/dhsr/ruleactions.html). If you have questions related to the



<http://www.ncdhhs.gov/dhsr/>

Phone: 919-855-3750 / Fax: 919-733-2757

Location: 809 Ruggles Drive v Dorothea Dix Hospital Campus v Raleigh, N.C. 27603

Mailing Address: 2701 Mail Service Center • Raleigh, North Carolina 27699-2701

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proposed rule and fiscal note please contact the Adult Care Licensure Section at (919) 855-3765.

Should you have any questions regarding this memorandum please feel free to contact me at 919-855-3811.

cc: Drexdal Pratt, Director, Division of Health Service Regulation  
Emery Milliken, General Counsel, N.C. Department of Health & Human Services  
Megan Lamphere, Adult Care Licensure Section