

1 10A NCAC 13E .0207 is proposed to be adopted as follows:

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3 **10A NCAC 13E .0207 SUSPENSION OF ADMISSIONS**

4 (a) The Division of Health Service Regulation may suspend the admission of participants to overnight respite services
5 when warranted under the provisions of G.S. 131D-6.1 and G.S. 131D-2.7.

6 (b) The Division shall notify the overnight respite service licensee by certified mail of the decision to suspend
7 admissions. Such notice will include:

8 (1) the period of the suspension;

9 (2) factual allegations;

10 (3) citation of statutes and rules alleged to be violated; and

11 (4) notice of the licensee's right to a contested case hearing regarding the suspension.

12 (c) The suspension is effective on the date specified in the notice of suspension. The suspension shall remain effective
13 for the period specified in the notice, or until the overnight respite service demonstrates to the Division that conditions
14 are no longer detrimental to the health and safety of the participants.

15 (d) The overnight respite service shall not admit any participants during the effective period of the suspension.

16 (e) Any action taken by the Division to revoke a license for overnight respite services shall be accompanied by a
17 suspension of admissions. A suspension may be ordered without the license being affected.

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19 *History Note: Authority G.S. 131D-2.7; 131D-6.1;*

20 *Eff. April 1, 2017.*