

1 10A NCAC 13P .1505 is amended with changes as published in 30:24 NCR, pp. 2558-2606, as follows:

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3 **10A NCAC 13P .1505 EMS EDUCATIONAL INSTITUTIONS**

4 (a) For the purpose of this Rule, ~~[focused review]~~ “focused review” means an evaluation by the OEMS of an
5 educational institution’s corrective actions to remove contingencies that are a result of deficiencies identified in the
6 initial or renewal application process.

7 ~~(a)~~ (b) The Department shall deny the initial or renewal ~~credential,~~ designation, without first allowing a focused
8 review, of an EMS Educational Institution for any of the following reasons:

- 9 (1) significant failure to comply with the provisions of Section .0600 of this Subchapter; or
10 (2) attempting to obtain an EMS Educational Institution designation through fraud or
11 misrepresentation; ~~[or]~~ misrepresentation.
12 ~~(3) —endangerment to the health, safety, or welfare of patients cared by students of the EMS~~
13 ~~Educational Institution; or~~
14 ~~(4) [(3)] repetition of [repetitive] deficiencies placed on the EMS Educational Institution in previous~~
15 ~~compliance site visits.~~

16 ~~(b)~~ (c) When an EMS Educational Institution is required to have a focused review, it ~~must~~ shall demonstrate
17 compliance with the provisions of Section .0600 of this Subchapter within 12 months or less.

18 ~~(e)~~ (d) The Department ~~will~~ shall revoke an EMS Educational Institution ~~credential~~ designation at any time ~~or deny~~
19 ~~a request for renewal of~~ ~~credential,~~ [designation] whenever the Department finds that the EMS Educational
20 Institution has ~~failed~~ significant failure to ~~comply~~ comply, as defined in Rule .0102(45) of this Subchapter, with the
21 provisions of Section .0600 of this ~~Subchapter;~~ Subchapter, and:

- 22 (1) it is not probable that the EMS Educational Institution can remedy the deficiencies within 12
23 months or ~~less;~~ less as determined by OEMS staff based upon analysis of the educational
24 institution’s ability to take corrective measures to resolve the issue of non-compliance with
25 Section .0600 of this Subchapter;
26 (2) although the EMS Educational Institution may be able to remedy the deficiencies, it is not
27 probable that the EMS Educational Institution shall be able to remain in compliance with
28 credentialing ~~rules for the foreseeable future;~~ rules;
29 ~~(3) —~~ failure to produce records upon request as ~~[defined]~~ required in Rule .0601(b)(6) of this
30 Subchapter;
31 ~~(3)~~ (4) the EMS Educational Institution failed to meet the requirements of a focused ~~review;~~ review
32 within 12 months, as set forth in Paragraph (c);
33 ~~(4)~~ (5) the failure to comply endangered the health, safety, or welfare of patients cared for as part of an
34 EMS educational ~~program;~~ program [is] as determined by OEMS staff in their professional
35 judgement based upon a complaint [investigation, using a standardized methodology designed by
36 OEMS program staff through consultation with the Department and Office of the Attorney
37 General legal counsel,] investigation, in consultation with the Department and Department of

1 Justice, to verify the results of the investigations are sufficient to initiate enforcement action
 2 pursuant to G.S. 150B; or

3 ~~(5)~~ (6) the EMS Educational Institution altered, ~~destroyed~~ destroyed, or attempted to destroy evidence
 4 needed for a complaint investigation.

5 ~~(d)~~ (e) The Department shall give the EMS Educational Institution written notice of ~~revocation.~~ revocation and
 6 denial. This notice shall be given personally or by certified mail and shall set forth:

7 (1) the factual allegations;

8 (2) the statutes or rules alleged to be violated; and

9 (3) notice of the EMS Educational Institution's right to a contested case ~~hearing~~ hearing, set forth in
 10 Rule .1509 of this Subchapter, on the revocation of the ~~credential.~~ designation.

11 ~~(e)~~ (f) Focused review is not a procedural prerequisite to the revocation of a ~~credential designation pursuant to~~
 12 Paragraph (e) of this Rule, as set forth in Rule .1509 of this Section.

13 ~~(f)~~ (g) An If determined by the educational institution that suspending its approval to offer EMS educational
 14 programs is necessary, the EMS Educational Institution may voluntarily ~~withdraw~~ surrender its credential ~~without~~
 15 explanation for a maximum of one year by submitting a written request. request to the OEMS stating its intention.

16 ~~[To voluntarily]~~ The voluntary surrender shall not affect the original expiration date of the EMS Educational
 17 Institution's designation. ~~This request shall include the reasons for withdrawal and a plan for resolution of the~~
 18 ~~deficiencies. To reactivate the credential, the institution shall provide to the Department written documentation of~~
 19 ~~compliance. Voluntary withdrawal does not affect the original expiration date of the EMS Educational Institution's~~
 20 ~~credential. To reactivate the designation:~~

21 (1) the institution shall provide OEMS written documentation requesting reactivation; and

22 (2) the OEMS shall verify the educational institution is compliant with all credentialing requirements
 23 set forth in Section .0600 of this Subchapter prior to reactivation of the designation by the OEMS.

24 ~~(g)~~ (h) If the institution fails to resolve the issues ~~which that~~ resulted in a voluntary ~~withdrawal within one year,~~
 25 surrender, the Department shall revoke the EMS Educational Institution ~~credential.~~ designation.

26 ~~[(i) The OEMS shall give the EMS Educational Institution written notice of revocation. This notice shall be given~~
 27 ~~personally or by certified mail and shall set forth:~~

28 (1) ~~the factual allegations;~~

29 (2) ~~the statutes or rules alleged to be violated; and~~

30 (3) ~~notice of the EMS Educational Institution 's right to a contested case hearing, set forth in Rule~~
 31 ~~.1509 of this Section, on the revocation of the designation.]~~

32 ~~(h)~~ ~~[(i)]~~ (i) In the event of a revocation or voluntary ~~withdrawal,~~ surrender, the Department shall provide written
 33 notification to all EMS Systems within the EMS Educational Institution's defined service area. The Department
 34 shall provide written notification to all EMS Systems within the EMS Educational Institution's defined service area
 35 ~~if, and when,~~ when the voluntary ~~withdrawal~~ surrender reactivates to full credential.

36 ~~[(i)]~~ (j) When an accredited EMS Educational Institution as defined in Rule .0605 of this Subchapter has
 37 administrative action taken against its accreditation, the OEMS shall determine if the cause [for] of action is

1 sufficient for revocation of the EMS Educational Institution designation or imposing a focused review pursuant to
2 ~~Paragraph~~ Paragraphs (b) and (c) of this Rule is warranted.

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4 *History Note: Authority G.S. ~~143-508(d)(4), (d)(10)~~; 143-508(d)(4); 143-508(d)(10);*
5 *Eff. January 1, 2013;*
6 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February*
7 *2, ~~2016-2016~~;*
8 *Amended Eff. January 1, 2017.*