



DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF HEALTH SERVICE REGULATION

ROY COOPER  
GOVERNOR

MANDY COHEN, MD, MPH  
SECRETARY

MARK PAYNE  
DIRECTOR

**MEMORANDUM**

**DATE:** September 1, 2017  
**TO:** Interested Parties  
**FROM:** Nadine Pfeiffer, Rule Review Manager *NP*  
**RE:** Proposed Repeal of Hospital Construction Rules  
10A NCAC 13B Licensing of Hospitals

GS 150B-21.2 requires a rule-making body to notify certain individuals of its intent to adopt a permanent rule. 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.

The North Carolina Medical Care Commission has submitted form OAH 0300 to the Codifier of Rules, Office of Administrative Hearings, indicating its intent to repeal the following 29 rules:

10A NCAC 13B .6001, .6002, .6104, .6201-.6206 and .6208-.6227.

The enactment of Session Law 2017-174, Senate Bill 42, known as "*An Act Directing the Medical Care Commission to Adopt the Recommendations of the American Society of Healthcare Engineering's Facility Guidelines Institute*" that became effective July 21, 2017 requires the N.C. Medical Care Commission to repeal rules to implement the provisions of the Act. In accordance with G.S. 150B-21.4(d), a fiscal note is not required for a repeal of a rule.

The proposed rule text is attached to this memo and was published in today's September 1, 2017 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 October 20, 2017 at 1:00 p.m. in Room 123B, Williams Building, 1800 Umstead Drive, Raleigh, NC 27603. The building is located in the Dorothea Dix Park. The Commission is accepting public comments on these rules from September 1, 2017 – October 31, 2017. Comments will also be accepted in person at the public hearing. The proposed effective date of these rules is January 1, 2018.

**OFFICE OF THE DIRECTOR**

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A copy of the proposed rules 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).

Should you have questions related to this memorandum or the proposed rules please feel free to contact the Construction Section at (919) 855-3893.

Enclosures

cc: Dr. John Fagg, MD, Chair, N.C. MCC  
Mark Payne, Director, Health Service Regulation  
Emery Milliken, Deputy Director, Health Service Regulation  
Joel Johnson, Assistant General Counsel, DHHS  
Steven Lewis, Chief, Construction Section  
Carey Gurlitz, Engineering Supervisor, Construction Section  
Marjorie Acker, Assistant Chief, Construction Section