

1 10A NCAC 13F .1103 is proposed for amendment as follows:

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3 **10A NCAC 13F .1103 ~~LEGAL~~ AUTHORIZED REPRESENTATIVE OR PAYEE**

4 (a) In situations where a resident of an adult care home is unable to manage ~~his~~ their monetary funds, the administrator
 5 shall contact a family member or the county department of social services regarding the need for a ~~legal representative~~
 6 ~~or payee.~~ an authorized representative. For the purposes of this Rule, an “authorized representative” shall mean a
 7 person who is legally authorized or designated in writing by the resident to act on his or her behalf in the management
 8 of their funds. The administrator and other staff of the ~~home~~ facility shall not serve as a resident's ~~legal~~ authorized
 9 representative, payee, or executor of a will, except as indicated in Paragraph (b) of this Rule.

10 (b) In the case of funds administered by the Social Security Administration, the Veteran's Administration or other
 11 federal government agencies, the administrator of the ~~home~~ facility may serve as a payee when so authorized as a
 12 legally constituted authority by the respective federal agencies.

13 (c) The administrator shall give the resident's ~~legal~~ authorized representative or payee receipts for any monies received
 14 on behalf of the resident.

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16 *History Note: Authority G.S. 35A-1203; 108A-37; 131D-2.16; 143B-165;*

17 *Eff. July 1, 2005;*

18 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*
 19 *~~2018.~~ 2018.*

20 *Amended Eff. January 1, 2024.*