

1 10A NCAC 13G .0601 is proposed for readoption with substantive changes as follows:

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3 **SECTION .0600 – STAFFING OF THE ~~HOME~~ FACILITY**

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5 **10A NCAC 13G .0601 MANAGEMENT AND OTHER STAFF**

6 (a) A family care home administrator who is approved in accordance with Rule .1501 of this Subchapter shall be
7 responsible for the total operation ~~of a family care home~~ and management of the facility to assure that all care and
8 services are provided to maintain the health, safety, and welfare of the residents in accordance with all applicable
9 local, state, and federal regulations and codes. The administrator shall also be responsible to the Division of Health
10 Service Regulation and the county department of social services for ~~meeting and maintaining~~ complying with the rules
11 of this Subchapter. The co-administrator, when there is one, shall share equal responsibility with the administrator for
12 the operation of the ~~home~~ facility and for meeting and maintaining the rules of this Subchapter. The term ~~administrator~~
13 “administrator” also refers to co-administrator where it is used in this Subchapter.

14 (b) The administrator shall have knowledge of and shall ensure the following:

15 (1) the investigation and reporting of any allegations of resident abuse, neglect, and exploitation as
16 specified in Rule .1213(d) of this Subchapter;

17 (2) the investigation and reporting of any suspicion of or allegations of drug diversion as specified in
18 Rule .1008 of this Subchapter;

19 (3) the reporting of any incidents of resident elopement or when a resident is missing from the facility
20 as required in Rule .1213(e)(2) and Rule .0906(f)(4) of this Subchapter; and

21 (4) the investigation and reporting of any incident or accident resulting in the hospitalization or death
22 of a resident as specified in Rule .1209 and Rule .1213 of this Subchapter.

23 (c) The administrator shall be made aware when the facility is unable to meet the staffing requirements of this Section.

24 (d) The administrator shall be made aware any time the facility seeks the assistance of the local law enforcement
25 authority.

26 ~~(b)(c)~~ At all times ~~there shall be one~~ the administrator or supervisor-in-charge who shall be in the facility or within
27 500 feet of the facility with a means of two-way telecommunication. The administrator or supervisor-in-charge is
28 directly responsible for assuring that all required duties are carried out in the ~~home~~ facility and for assuring that at no
29 time is a resident left alone in the ~~home~~ facility without a staff member. ~~Except for the provisions cited in Paragraph~~
30 ~~(c) of this Rule regarding the occasional absence of the administrator or supervisor in charge, one of the following~~
31 ~~arrangements shall be used:~~

32 (1) ~~The administrator shall be in the home facility or reside within 500 feet of the home with a means~~
33 ~~of two way telecommunication with the home at all times. When the administrator does not live in~~
34 ~~the licensed home, there shall be at least one staff member who lives in the home or one on each~~
35 ~~shift and the administrator shall be directly responsible for assuring that all required duties are~~
36 ~~carried out in the home;~~

1 ~~(2) — The administrator shall employ a supervisor in charge to live in the home facility or reside within~~
 2 ~~500 feet of the home with a means of two-way telecommunication with the home at all times. When~~
 3 ~~the supervisor in charge does not live in the licensed home, there shall be at least one staff member~~
 4 ~~who lives in the home or one on each shift and the supervisor in charge shall be directly responsible~~
 5 ~~for assuring that all required duties are carried out in the home; or~~

6 ~~(3) — When there is a cluster of licensed homes located adjacently on the same site, there shall be at least~~
 7 ~~one staff member in each home, either live in or on a shift basis, and at least one administrator or~~
 8 ~~supervisor in charge who lives within 500 feet of each home with a means of two-way~~
 9 ~~telecommunication with each home at all times and who is directly responsible for assuring that all~~
 10 ~~required duties are carried out in each home.~~

11 ~~(e) When the administrator or supervisor in charge is absent from the home or not within 500 feet of the home, the~~
 12 ~~following shall apply:~~

13 ~~(1) — For absences of a non-routine nature that do not exceed 24 hours per week, a relief person in charge~~
 14 ~~designated by the administrator shall be in charge of the home during the absence and in the home~~
 15 ~~or within 500 feet of the home according to the requirements in Paragraph (b) of this Rule. The~~
 16 ~~administrator shall assure that the relief person in charge is prepared to respond appropriately in~~
 17 ~~case of an emergency in the home. The relief person in charge shall be 18 years or older.~~

18 ~~(2) — For recurring or planned absences, a relief supervisor in charge designated by the administrator~~
 19 ~~shall be in charge of the home during the absence and in the home or within 500 feet of the home~~
 20 ~~according to the requirements in Paragraph (b) of this Rule. The relief supervisor in charge shall~~
 21 ~~meet all of the qualifications required for the supervisor in charge as specified in Rule .0402 of this~~
 22 ~~Subchapter with the exception of Item (4) pertaining to the continuing education requirement.~~

23 (f) When the administrator or supervisor-in-charge are not in the facility or within 500 feet of the facility, a staff
 24 person who meets the staff qualification requirements of this Subchapter shall be on duty in the facility. The staff
 25 person shall be on duty in the facility no more than eight hours per 24 hours and no more than 24 hours total per week.

26 ~~(d)(g) Additional staff shall be employed as needed for housekeeping and the supervision and care of the residents.~~
 27 residents in accordance with the rules of this Subchapter.

28 ~~(e)(h) Information on required staffing shall be posted in the facility according to G.S. 131D-4.3(a)(5). The facility~~
 29 shall post daily staffing information in a location accessible to residents and visitors in accordance with G.S.131D-
 30 4.3(a)(5). The information shall include:

31 ~~(1) — the name and contact information of the administrator and supervisor in charge;~~

32 ~~(2) — the number of required supervisors on each shift; and~~

33 ~~(3) — the number of aides required on each shift.~~

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 35 *History Note: Authority G.S. 131D-2.16; 131D-25; 143B-165;*

36 *Eff. January 1, 1977;*

37 *Readopted Eff. October 31, 1977;*

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2 *Readopted Eff. September 1, 2024.*