

1 10A NCAC 13D .2107 is proposed for reoption as follows:

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3 **10A NCAC 13D .2107 SUSPENSION OF ADMISSION**

4 (a) The Department may suspend the admission of new patients to a facility when warranted under the provisions of
5 G.S. 131E-109(c).

6 (b) The Department shall notify the facility personally or by certified mail of the decision to suspend admissions.
7 Such notice shall include:

- 8 (1) a reference to the statement of deficiencies that contains the facts;
- 9 (2) citation of statutes and rules alleged to be violated; and
- 10 (3) notice of the facility’s right to a contested case hearing on the suspension.

11 (c) The suspension is effective on the date specified in the notice of suspension. The suspension shall remain effective
12 until the facility demonstrates to the Department that conditions are no longer detrimental to the health and safety of
13 the patients.

14 (d) The facility shall not admit new patients during the effective period of suspension.

15 (e) Patients requiring hospitalization during the effective period of suspension of admissions shall be readmitted after
16 hospitalization or on return from temporary care to the facility based on the availability of a bed and the ability of the
17 facility to provide necessary care. Upon return from the hospital, the requirements of G.S. 131E-130 apply.

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19 *History Note: Authority G.S. 131E-104;*

20 *Eff. January 1, 1996;*

21 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22,*
22 *2015-2015;*

23 *Readopted Eff. August 1, 2026.*