

1 10A NCAC 13D .3101 is proposed for reoption with substantive changes as follows:

2
3 **SECTION .3100 – DESIGN AND CONSTRUCTION**

4
5 **10A NCAC 13D .3101 GENERAL RULES**

6 (a) Each facility shall be planned, constructed, equipped, and maintained to provide the services offered in the facility.

7 (b) A new facility or remodeling of an existing facility shall meet the requirements of the North Carolina State
8 Building Codes which are incorporated by reference, including all subsequent amendments. Copies of these codes
9 may be ~~purchased from the International Code Council online at <http://www.iccsafe.org/Stire/Pages/default.aspx> at a~~
10 ~~cost of five hundred twenty seven dollars(\$527.00) or~~ accessed electronically free of charge at
11 ~~http://www.ecodes.biz/ecodes_support/Free_Resources/2012NorthCarolina/12NorthCarolina_main.html~~~~[.iccsafe.org/codes/north-carolina](http://codes
12 <a href=)~~. Existing licensed facilities shall meet the requirements of the North Carolina State
13 Building Codes in effect at the time of construction or remodeling.

14 (c) Any existing building converted from another use to a nursing facility shall meet all requirements of a new facility.

15 (d) The sanitation, water supply, sewage disposal, and dietary facilities shall comply with the rules of the North
16 Carolina Division of Public Health, Environmental Health Services Section, which are incorporated by reference,
17 including all subsequent amendments. The “Rules Governing the Sanitation of Hospitals, Nursing Homes, Adult Care
18 Homes and Other Institutions”, 15A NCAC 18A .1300 ~~are available for inspection at the North Carolina Department~~
19 ~~of Health and Human Services, Division of Public Health, Environmental Health Services Section 5606 Six Forks~~
20 ~~Road, Raleigh, North Carolina 27509. Copies may be obtained from the Environmental Health Services section, 1632~~
21 ~~mail Service Center, Raleigh, NC 27699 1632 at no cost, or can~~ may be accessed electronically free of charge at
22 ~~[http://www.oah.nc.gov/](http://reports.oah.state.nc.us/ncac.asp?folderName=Title 15A Environment and Natural Resources\Chapter 18
23 Environmental Health<a href=)~~.

24 (e) The adult care home portion of a combination facility shall meet the rules for a nursing facility contained in
25 Sections .3100, .3200 and .3400 of this Subchapter, except when separated by two-hour fire resistive construction.

26 When separated by two-hour fire-resistive construction, the adult care home portion of the facility shall meet the rules
27 for adult care home in 10A NCAC 13F, Licensing of Adult Care Homes, which are incorporated by reference,
28 including all subsequent amendments; and adult care home resident areas must be located in the adult care home
29 section of the facility. Copies of 10A NCAC 13F, Licensing of Adult Care Homes, can be ~~obtained free of charge~~
30 ~~from the Division of Health Service Regulation, Adult Care Licensure Section, 2708 Mail Service Center, Raleigh,~~
31 ~~NC 27699 2708, or~~ accessed electronically free of charge at ~~[http://reports.oah.state.nc.us/ncac/title%2010a%20-](http://reports.oah.state.nc.us/ncac/title%2010a%20-%20health%20and%20human%20services/chapter%2013%20-%20nc%20medical%20care%20commission/subchapter%20d/subchapter%20d%20rules.html)~~
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103 ~~[http://reports.oah.state.nc.us/ncac/title%2010a%20-](http://reports.oah.state.nc.us/ncac/title%2010a%20-%20health%20and%20human%20services/chapter%2013%20-%20nc%20medical%20care%20commission/subchapter%20d/subchapter%20d%20rules.html)~~
104 ~~[http://reports.oah.state.nc.us/ncac/title%2010a%20-](http://reports.oah.state.nc.us/ncac/title%2010a%20-%20health%20and%20human%20services/chapter%2013%20-%20nc%20medical%20care%20commission/subchapter%20d/subchapter%20d%20rules.html)~~
105 ~~[http://reports.oah.state.nc.us/ncac/title%2010a%20-](http://reports.oah.state.nc.us/ncac/title%2010a%20-%20health%20and%20human%20services/chapter%2013%20-%20nc%20medical%20care%20commission/subchapter%20d/subchapter%20d%20rules.html)~~
106 ~~[http://reports.oah.state.nc.us/ncac/title%2010a%20-](http://reports.oah.state.nc.us/ncac/title%2010a%20-%20health%20and%20human%20services/chapter%2013%20-%20nc%20medical%20care%20commission/subchapter%20d/subchapter%20d%20rules.html)~~
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108 ~~[http://reports.oah.state.nc.us/ncac/title%2010a%20-](http://reports.oah.state.nc.us/ncac/title%2010a%20-%20health%20and%20human%20services/chapter%2013%20-%20nc%20medical%20care%20commission/subchapter%20d/subchapter%20d%20rules.html)~~
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History Note: Authority G.S. 131E-102; 131E-104;
Eff. January 1, 1996;
Amended Eff. July 1, 2014;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22,
2015-2015;
Readopted Eff. August 1, 2026.