



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

JOSH STEIN • Governor

DEVPUTTA SANGVAI • Secretary

MARK PAYNE • Director, Division of Health Service Regulation

MEMORANDUM

DATE: December 15, 2025

TO: Interested Parties

FROM: Shanah Black, Rule Review Manager *SFB*

RE: Proposed Readoption of Rules for the Licensing of Nursing Homes 13D NCAC .2001, .2101-.2109, .2201-.2212, .2301-.2309, .2401, .2402, .2501-.2504, .2601-.2607, .2701, .2801, .2802, .2901, .2902, .3003-.3005, .3031, .3101-.3104, .3201, .3202, .3401-.3404

GS 150B-21.2 requires a rule-making body to notify certain individuals of its intent to adopt a rule. It also requires notification of the date, time and location of the public hearing on the rule and any fiscal analysis that has been prepared in connection with the proposed rule. There are 64 rules in this rulemaking action. With input from advisory committees, working groups of the N.C. Medical Care Commission and stakeholders, there are 4 repeals, 10 amendments, and 50 readoptions. The Nursing Home Licensure and Certification Section's goal is to have rules that are clear, meaningful, up-to-date, and consistent with federal long-term care regulations for providers who do and do not participate in Medicare and Medicaid. The aim is to create a regulatory environment that supports high standards of care while being adaptable to the evolving needs of the population.

The N.C. Medical Care Commission has submitted form OAH 0300 to the Codifier of Rules, Office of Administrative Hearings, indicating its intent to proceed with the following rule-making actions:

10A NCAC 13A N.C. Medical Care Commission

10A NCAC 13D .2001	Definitions	(Amend)
10A NCAC 13D .2101	Application Requirements	(Amend)
10A NCAC 13D .2102	Issuance of License	(Readopt)
10A NCAC 13D .2103	Length of Licensure	(Readopt)
10A NCAC 13D .2104	Requirements For Licensure Renewal or Changes	(Amend)
10A NCAC 13D .2105	Temporary Change in Bed Capacity	(Amend)
10A NCAC 13D .2106	Denial, Amendment, or Revocation of License	(Readopt)
10A NCAC 13D .2107	Suspension of Admissions	(Readopt)
10A NCAC 13D .2108	Procedure For Appeal	(Readopt)
10A NCAC 13D .2109	Inspections	(Amend)
10A NCAC 13D .2201	Administrator	(Readopt)
10A NCAC 13D .2202	Admissions	(Readopt)
10A NCAC 13D .2203	Patients Not to Be Admitted	(Readopt)
10A NCAC 13D .2204	Respite Care	(Readopt)

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10A NCAC 13D .2205	Discharge of Patients (Readopt)
10A NCAC 13D .2206	Medical Director (Readopt)
10A NCAC 13D .2207	Patient Rights (Readopt)
10A NCAC 13D .2208	Safety (Readopt)
10A NCAC 13D .2209	Infection Control (Amend)
10A NCAC 13D .2210	Reporting and Investigating Abuse, Neglect, or Misappropriation (Amend)
10A NCAC 13D .2211	Personnel Standards (Readopt)
10A NCAC 13D .2212	Quality Assurance Committee (Readopt)
10A NCAC 13D .2301	Patient Assessment and Plan of Care (Readopt)
10A NCAC 13D .2302	Nursing Services (Readopt)
10A NCAC 13D .2303	Nurse Staffing Requirements (Readopt)
10A NCAC 13D .2304	Nurse Aides (Readopt)
10A NCAC 13D .2305	Quality of Care (Readopt)
10A NCAC 13D .2306	Medication Administration (Readopt)
10A NCAC 13D .2307	Dental Care and Services (Readopt)
10A NCAC 13D .2308	Adult Care Home Personnel Requirements (Readopt)
10A NCAC 13D .2309	Cardio-Pulmonary Resuscitation (Readopt)
10A NCAC 13D .2401	Maintenance of Medical Records (Readopt)
10A NCAC 13D .2402	Preservation of Medical Records (Readopt)
10A NCAC 13D .2501	Availability of Physician's Services (Readopt)
10A NCAC 13D .2502	Private Physicians (Readopt)
10A NCAC 13D .2503	Use of Nurse Practitioners and Physician Assistants (Readopt)
10A NCAC 13D .2504	Laboratory and Radiology Services (Readopt)
10A NCAC 13D .2505	Brain Injury Long-Term Care Physician Services (Repeal)
10A NCAC 13D .2601	Availability of Pharmaceutical Services (Readopt)
10A NCAC 13D .2602	Pharmacy Personnel (Readopt)
10A NCAC 13D .2603	Administrative Responsibilities (Readopt)
10A NCAC 13D .2604	Drug Procurement (Readopt)
10A NCAC 13D .2605	Drug Storage and Disposition (Readopt)
10A NCAC 13D .2606	Pharmaceutical Records (Readopt)
10A NCAC 13D .2607	Emergency Drugs (Readopt)
10A NCAC 13D .2701	Provision of Nutrition and Dietetic Services (Amend)
10A NCAC 13D .2801	Activity Services (Amend)
10A NCAC 13D .2802	Social Services (Readopt)
10A NCAC 13D .2901	Report of Death (Readopt)
10A NCAC 13D .2902	Pets (Readopt)
10A NCAC 13D .3003	Ventilator Assisted Care (Amend)
10A NCAC 13D .3004	Brain Injury Long-Term Care (Repeal)
10A NCAC 13D .3005	Special Nursing Requirements For Brain Injury Long-Term Care (Repeal)
10A NCAC 13D .3031	Additional Requirements For Spinal Cord Injury Patients (Repeal)
10A NCAC 13D .3101	General Rules (Readopt)
10A NCAC 13D .3102	Application of Physical Requirements (Readopt)
10A NCAC 13D .3103	Site (Readopt)
10A NCAC 13D .3104	Plans and Specifications (Readopt)
10A NCAC 13D .3201	Required Spaces (Readopt)

10A NCAC 13D .3202	Furnishings (Readopt)
10A NCAC 13D .3401	Heating and Air Conditioning (Readopt)
10A NCAC 13D .3402	Emergency Electrical Service (Readopt)
10A NCAC 13D .3403	General Electric(Readopt)
10A NCAC 13D .3404	Other (Readopt)

Approval of the fiscal analysis for these rules was obtained from the Office of State Budget and Management on October 17, 2025, in accordance with G.S. 150B-21.4.

The proposed rule text is attached to this memo. The rules were published in today's December 15, 2025 edition of the N.C. Register which can be found at the Office of Administrative Hearings web site at <https://www.oah.nc.gov/rules-division/north-carolina-register>.

A public hearing is scheduled for January 14, 2026, at 10:00 a.m. in Conference Room 02210, DHHS Headquarters, 1915 Health Service Ways, Raleigh, NC 27607. Ms. Shanah Black, DHSR Rule-Review Manager, is accepting public comments on these rules from December 15, 2025, through February 13, 2026, close of business. Comments will also be accepted in person at the public hearing. The proposed effective date of these rules is August 1, 2026.

A copy of the proposed rules, fiscal analysis, and instructions for submitting comment can be found at the Division of Health Service Regulation web site at <https://info.ncdhhs.gov/dhsr/ruleactions.html>.

Please feel free to contact the Division of Health Service Regulation at (919) 855-3750, should you have questions related to this memorandum or the proposed rule text and fiscal note.

Enclosures

cc: Mark Payne, Director, Health Service Regulation
Emery Milliken, Deputy Director, DHSR
Raj Premakumar, Assistant General Counsel, DHHS
Beverly Speroff, Assistant Section Chief, Nursing Home Licensure and Certification Section
Dr. John Meier IV, Chairman, N.C. Medical Care Commission