

10A NCAC 13D .2210 FREEDOM FROM ABUSE, NEGLECT AND EXPLOITATION

(a) Nursing homes shall comply with 42 CFR 483.12, which is incorporated by reference, including subsequent amendments. The Code of Federal Regulations may be accessed free of charge at <https://www.ecfr.gov>.

(b) A facility shall ensure that the administrator of the facility, the Division of Health Service Regulation, Complaint Intake and Health Care Investigation Section, and adult protective services are notified about all alleged violations involving abuse, neglect, exploitation, or mistreatment, including injuries of an unknown source and misappropriation of patient property within the time periods for notification specified in 42 CFR 483.12.

(c) A facility shall ensure that the administrator of the facility and the Division of Health Service Regulation are notified about misappropriation of the property of the facility, diversion of drugs belonging to the facility, and fraud against the facility. The facility shall provide notification within 24 hours of the facility's becoming aware of the allegation.

(d) A facility shall investigate allegations of any act listed in Paragraphs (b) and (c) of this Rule, shall document all information pertaining to such investigation, and shall take the necessary steps to prevent further incidents while the investigation is in progress.

(e) A facility shall ensure that the report of investigation is printed or typed and sent to the Division of Health Service Regulation within five working days of the allegation being received by the administration. The report shall include:

- (1) the date and time of the alleged incident;
- (2) the patient's full name and room number;
- (3) details of the allegation and any injury;
- (4) names of the accused and any witnesses;
- (5) names of the facility staff who investigated the allegation;
- (6) results of the investigation; and
- (7) any corrective action that was taken by the facility.

(f) A facility shall report any reasonable suspicion of a crime against a patient receiving care in the facility to the Division of Health Service Regulation, Complaint Intake and Health Care Investigations Section and local law enforcement where the facility is located within the time periods for notification specified in 42 CFR 483.12.

*History Note: Authority G.S. 131E-104; 131E-117; 131E-131; 131E-255; 131E-256;
Eff. January 1, 1996;
Amended Eff. July 1, 2014; February 1, 2013; August 1, 2008; October 1, 1998;
Readopted Eff. July 1, 2016;
Amended Eff. August 1, 2026.*