

1 10A NCAC 13F .1104 is proposed for amendment as follows:

2
3 **10A NCAC 13F .1104 ACCOUNTING FOR RESIDENT'S PERSONAL FUNDS**

4 (a) To document a resident's receipt of the State-County Special Assistance personal needs allowance after payment
5 of the cost of care, a statement shall be signed by the resident or marked by the ~~resident with two witnesses' signatures.~~
6 resident. If the statement is marked by the resident, there shall be one witness signature. For residents who have been
7 adjudicated incompetent, the signature of the resident's authorized representative shall be required. Witnesses cannot
8 include the staff handling the residents' personal funds transactions. The statement shall be maintained in the ~~home.~~
9 facility.

10 (b) Upon the written authorization of the resident or ~~his legal representative or payee,~~ their authorized representative,
11 ~~an administrator~~ administrator, or the administrator's designee may handle the personal money for a resident, provided
12 an accurate accounting of monies received and disbursed and the balance on hand is available upon request of the
13 resident or ~~his legal representative or payee.~~ their authorized representative during the facility's established business
14 days and hours.

15 (c) A record of each transaction involving the use of the resident's personal funds according to Paragraph (b) of this
16 Rule shall be signed by the ~~resident, legal resident of the resident's authorized representative or payee~~ or marked by
17 the ~~resident, if not adjudicated incompetent, with two witnesses' signatures~~ resident at least monthly verifying the
18 accuracy of the disbursement of personal funds. If marked by the resident, there shall be one witness signature. For
19 residents who have been adjudicated incompetent, the facility shall provide the resident's authorized representative
20 with a copy of the monthly resident's funds statement and shall obtain verification of receipt. The ~~record~~ records shall
21 be maintained in the ~~home.~~ facility.

22 (d) A resident's personal funds shall not be commingled with facility funds. The facility shall not commingle the
23 personal funds of residents in an interest-bearing account.

24 (e) All or any portion of a resident's personal funds shall be available to the resident or ~~his legal representative or~~
25 ~~payee~~ their authorized representative upon request during ~~regular office hours,~~ the facility's established business days
26 and hours except as provided in Rule .1105 of this ~~Subchapter.~~ Section.

27 (f) The resident's personal needs allowance shall be credited to the ~~resident"~~ resident's account within ~~24 hours of the~~
28 ~~check being deposited following endorsement.~~ one business day of the funds being available in the facility's resident
29 personal funds account.

30
31 *History Note: Authority G.S. 131D-2.16; 143B-165;*

32 *Eff. July 1, 2005;*

33 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*
34 *~~2018- 2018;~~*

35 *Amended Eff. January 1, 2024.*