

1 10A NCAC 13F .0601 is proposed for readoption with substantive changes as follows:

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3 **SECTION .0600 - STAFFING**

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5 **10A NCAC 13F .0601 MANAGEMENT OF FACILITIES WITH A CAPACITY OR CENSUS OF SEVEN**  
6 **TO THIRTY RESIDENTS FACILITIES - GENERAL ADMINISTRATOR AND**  
7 **MANAGER RESPONSIBILITIES**

8 (a) Each adult care home shall have an An adult care home administrator who is certified in accordance with Rule  
9 .1701 of this Subchapter. The administrator shall be responsible for the total operation of an adult care home and  
10 management of the facility to assure that all care and services are provided to maintain the health, safety, and welfare  
11 of the residents in accordance with all applicable local, state, and federal regulations and codes. The administrator  
12 shall also be responsible to the Division of Health Service Regulation and the county department of social services for  
13 meeting and maintaining complying with the rules of this Subchapter. The co-administrator, when there is one, shall  
14 share equal responsibility with the administrator for the operation of the home and for meeting and maintaining the  
15 rules of this Subchapter. The term administrator “administrator” also refers to co-administrator where it is used in this  
16 Subchapter.

17 (b) ~~At all times there shall be one administrator or administrator in charge who is directly responsible for assuring~~  
18 ~~that all required duties are carried out in the home and for assuring that at no time is a resident left alone in the home~~  
19 ~~without a staff member. Except for the provisions in Paragraph (c) of this Rule, one of the following arrangements~~  
20 ~~shall be used to manage a facility with a capacity or census of 7 to 30 residents:~~

21 (1) ~~The administrator is in the home or within 500 feet of the home with a means of two way~~  
22 ~~telecommunication with the home at all times;~~

23 (2) ~~An administrator in charge is in the home or within 500 feet of the home with a means of two way~~  
24 ~~telecommunication with the home at all times; or~~

25 (3) ~~When there is a cluster of licensed homes, each with a capacity of 7 to 12 residents, located~~  
26 ~~adjacently on the same site, there shall be at least one staff member, either live in or on a shift basis~~  
27 ~~in each of these homes. In addition, there shall be at least one administrator or~~  
28 ~~administrator in charge who is within 500 feet of each home with a means of two way~~  
29 ~~telecommunication with each home at all times and directly responsible for assuring that all required~~  
30 ~~duties are carried out in each home.~~

31 (c) ~~When the administrator or administrator in charge is absent from the home or not within 500 feet of the home,~~  
32 ~~the following shall apply:~~

33 (1) ~~For absences of a non routine nature that do not exceed 24 hours per week, a relief person in charge~~  
34 ~~designated by the administrator shall be in charge of the home during the absence and in the home~~  
35 ~~or within 500 feet of the home according to the requirements in Paragraph (b) of this Rule. The~~  
36 ~~administrator shall assure that the relief person in charge is prepared to respond in case of an~~  
37 ~~emergency in the home. The relief person in charge shall be 21 years or older.~~

1           ~~(2) For recurring or planned absences, a relief administrator in charge designated by the administrator~~  
 2           ~~shall be in charge of the home during the absence and in the home or within 500 feet of the home~~  
 3           ~~according to the requirements in Paragraph (b) of this Rule. The relief administrator in charge shall~~  
 4           ~~meet all of the qualifications required for the administrator in charge as specified in Rule .0402 of~~  
 5           ~~this Subchapter with the exception of Item (4) pertaining to the continuing education requirement.~~

6 (b) An adult care home manager shall be responsible for carrying out the day-to-day operations and all required duties  
 7 of an adult care home in the absence of an administrator.

8 (c) The administrator shall have knowledge of and shall ensure the following:

9           (1) the investigation and reporting of any allegations of resident abuse, neglect, and exploitation as  
 10           specified in Rule .1212(d) of this Subchapter;

11           (2) the investigation and reporting of any suspicion of or allegations of drug diversion as specified in  
 12           Rule .1008 of this Subchapter;

13           (3) the reporting of any incidents of resident elopement or when a resident is missing from the facility,  
 14           as required in Rule .1212(e)(2) and Rule .0906(f)(4) of this Subchapter; and

15           (4) the investigation and reporting of any incident or accident resulting in the hospitalization or death  
 16           of a resident, as specified in Rule .1208 and Rule .1212 of this Subchapter.

17 (d) The administrator shall be made aware when the facility is unable to meet the staffing requirements of this Section.

18 (e) The administrator shall be made aware any time the facility seeks the assistance of the local law enforcement  
 19 authority.

20 (f) For facilities with a census of 7 to 30 residents, the manager or staff person on duty shall immediately notify the  
 21 administrator of any of the circumstances listed in Paragraphs (c), (d), and (e) of this Rule.

22 (g) For facilities with a census of 31 or more the manager or supervisor shall immediately notify the administrator of  
 23 any of the circumstances listed in Paragraphs (c), (d), and (e) of this Rule.

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 25 *History Note: Authority G.S. 131D-2.16; 131D-4.3; 131D-4.4; 131D-4.5; 131D-25; 143B-165;*

26 *Eff. January 1, 1977;*

27 *Readopted Eff. October 31, 1977;*

28 *Amended Eff. July 1, 1990; April 1, 1987; April 1, 1984;*

29 *Temporary Amendment Eff. January 1, 2000; December 1, 1999;*

30 *Amended Eff. July 1, 2000;*

31 *Temporary Amendment Eff. July 1, 2003;*

32 *Amended Eff. July 1, 2005; June 1, ~~2004~~; 2004;*

33 *Readopted Eff. September 1, 2024.*