



NC DEPARTMENT OF  
**HEALTH AND  
HUMAN SERVICES**

ROY COOPER • Governor  
KODY H. KINSLEY • Secretary  
MARK PAYNE • Director, Division of Health Service Regulation

**MEMORANDUM**

**DATE:** December 1, 2023  
**TO:** Interested Parties  
**FROM:** Taylor Corpening, Rule Review Manager <sup>TC</sup>  
**RE:** Proposed Readoption/Adoption of Licensing of Adult Care Homes of Seven or More Beds and Licensing of Family Care Homes Rules  
10A NCAC 13F and 10A NCAC 13G

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. As a result of the periodic review of the rules in Subchapters 10A NCAC 13F and 10A NCAC 13G, 97 rules determined as “Necessary With Substantive Public Interest” are required to be readopted. At this time, seven rules for the Licensing of Adult Care Homes of Seven or More Beds are proposed for readoption and one rule for the Licensing of Family Care Homes is proposed for readoption. In addition, five rules are proposed for adoption and one rule is proposed for amendment for the Licensing of Adult Care Homes of Seven or More Beds and one rule is proposed for adoption and one rule is proposed for amendment for the Licensing of Family Care Homes.

The North Carolina Medical Care 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:

<u>10A NCAC 13F</u>	<u>Licensing of Adult Care Homes of Seven or More Beds</u>
10A NCAC 13F .0102	Definitions (Adopt)
10A NCAC 13F .0402	Qualifications of <del>Administrator In Charge</del> <u>Manager</u> (Readopt)
10A NCAC 13F .0404	Qualifications of Activity Director (Amend)
10A NCAC 13F .0408	Qualifications of Personal Care Aide Supervisor (Adopt)
10A NCAC 13F .0601	Management of <del>Facilities with a Capacity or Census of Seven to Thirty Residents</del> <u>Facilities – General Administrator and Administrator-in-Charge Responsibilities</u> (Readopt)
10A NCAC 13F .0602	Management of Facilities with a Capacity or Census of <del>31 to 80</del> <u>Seven to Thirty</u> Residents (Readopt)
10A NCAC 13F .0603	Management of Facilities with a <del>Capacity or Census of 81 or More</del> <u>31 to 80</u> Residents (Readopt)
10A NCAC 13F .0604	<del>Personal Care and Other Staffing</del> <u>Management of Facilities With a Census of 81 or More Residents</u> (Readopt)
10A NCAC 13F .0605	<del>Staffing of Personal Care Aide Supervisors</del> <u>General Staffing Requirements for Adult Care Homes</u> (Readopt)

**NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF HEALTH SERVICE REGULATION**

**OFFICE OF THE DIRECTOR**

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AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

10A NCAC 13F Licensing of Adult Care Homes of Seven or More Beds Continued

10A NCAC 13F .0606 ~~Staffing Chart~~ Staffing for Facilities With a Census of Seven to Twelve Residents (Readopt)  
10A NCAC 13F .0607 Staffing for Facilities With a Census of 13 to 20 Residents (Adopt)  
10A NCAC 13F .0608 Staffing for Facilities With a Census of 21 or More Residents (Adopt)  
10A NCAC 13F .0609 Personal Care Aide Supervisors (Adopt)

10A NCAC 13G Licensing of Family Care Homes

10A NCAC 13G .0102 Definitions (Adopt)  
10A NCAC 13G .0404 Qualifications of Activity Director (Amend)  
10A NCAC 13G .0601 Management and Other Staff (Readopt)

Approval of the fiscal analysis for these rules was obtained from the Office of State Budget and Management on September 29, 2023 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 1, 2023 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 24, 2024 at 10:00 a.m. in Room 104, Brown Building, 801 Biggs Drive, Raleigh, NC 27603. The building is in the Dorothea Dix Park. Ms. Nadine Pfeiffer, DHSR Rule-Review Manager, is accepting public comments on these rules and fiscal analysis from December 1, 2023 through January 30, 2024, close of business. Comments will also be accepted in person at the public hearing. The proposed effective date of these rules is September 1, 2024.

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 Adult Care Licensure Section at (919) 855-3765, should you have questions related to this memorandum or the proposed rule text and fiscal note.

Enclosures

cc: John Meier, IV, MD, Chair, N.C. Medical Care Commission  
Mark Payne, Director, Health Service Regulation  
Emery Milliken, Deputy Director, DHSR  
Raj Premakumar, Deputy General Counsel, DHHS  
Megan Lamphere, Chief, Adult Care Licensure Section  
Libby Kinsey, Assistant Chief, Adult Care Licensure Section  
Shalisa Jones, Regulatory Analyst, Adult Care Licensure Section