

1 10A NCAC 13B .6003 is proposed for adoption as follows:

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3 **10A NCAC 13B .6003 DEFINITIONS**

4 In addition to the definitions set forth in G.S. 131E-76, the following definitions shall apply in Sections .6000 through
5 .6200 of this Subchapter:

6 (1) “Addition” means an extension or increase in floor area or height of a building.

7 (2) “Alteration” means any construction or renovation to an existing building other than construction
8 of an addition.

9 (3) “Construction documents” means final building plans and specifications for the construction of a
10 facility that a governing body submits to the Construction Section for approval as specified in Rule
11 .3102 of this Subchapter.

12 (4) “Construction Section” means the Construction Section of the Division of Health Service
13 Regulation.

14 (5) “Division” means the Division of Health Service Regulation of the North Carolina Department of
15 Health and Human Services.

16 (6) “Facility” means a hospital as defined in G.S. 131E-76.

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18 *History Note: Authority G.S. 131E-76; 131E-79; S.L. 2017-174;*

19 *Temporary Adoption Eff. December 1, 2017. 2017;*

20 *Eff. Pending Legislative Review.*

1 10A NCAC 13B .6105 is proposed for adoption as follows:

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3 **10A NCAC 13B .6105 INCORPORATION BY REFERENCE AND APPLICATION OF THE**
4 **REQUIREMENTS OF THE FGI GUIDELINES**

5 (a) For the purposes of Sections .6000 through .6200 of this Subchapter, the Guidelines for the Design and
6 Construction of Hospitals and Outpatient Facilities shall be referred to as the FGI Guidelines.

7 (b) The FGI Guidelines are incorporated herein by reference, including all subsequent amendments and editions;
8 however, the following chapters of the FGI Guidelines shall not be incorporated herein by reference:

9 (1) Chapter 3.1;

10 (2) Chapter 3.2;

11 (3) Chapter 3.3;

12 (4) Chapter 3.4;

13 (5) Chapter 3.5;

14 (6) Chapter 3.6;

15 (7) Chapter 3.7;

16 (8) Chapter 3.8;

17 (9) Chapter 3.9;

18 (10) Chapter 3.10;

19 (11) Chapter 3.11;

20 (12) Chapter 3.12; and

21 (13) Chapter 3.14.

22 (c) The FGI Guidelines incorporated by this Rule may be purchased from the Facility Guidelines Institute online at
23 <https://www.fgiguideines.org/guidelines-main/purchase/> at a cost of two hundred dollars (\$200.00) or accessed
24 electronically free of charge at <https://www.fgiguideines.org/guidelines-main/>.

25 (d) A new facility or any additions or alterations to an existing facility whose construction documents were approved
26 by the Construction Section on or after January 1, 2018 shall meet the requirements set forth in:

27 (1) Sections .6000 through .6200 of this Subchapter; and

28 (2) the edition of the FGI Guidelines that was in effect at the time the construction documents were
29 approved by the Construction Section.

30 (e) An existing facility whose construction documents were approved by the Construction Section prior to January 1,
31 2018 shall meet those standards established in Sections .6000 through .6200 of this Subchapter that were in effect at
32 the time the construction documents were approved by the Construction Section.

33 (f) Any existing building converted from another use to a new facility shall meet the requirements of Paragraph (d)
34 of this Rule.

35 (g) Previous versions of the Rules of Sections .6000 through .6200 of this Subchapter can be accessed online at
36 <https://www.ncdhhs.gov/dhsr/const/index.html>.

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- 1 *History Note: Authority G.S. 131E-79; S.L. 2017-174;*
- 2 *Temporary Adoption Eff. December 1, ~~2017~~ 2017;*
- 3 *Eff. Pending Legislative Review.*

MCC Action: Initiate Rulemaking

1 10A NCAC 13B .6228 is proposed for adoption as follows:

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3 **10A NCAC 13B .6228 NEONATAL LEVEL I, II, III, AND IV NURSERIES**

4 A facility that provides neonatal services as specified in Rule .4305 of this Subchapter shall meet the requirements of
5 the FGI Guidelines as follows:

6 (1) a Neonatal Level I nursery shall comply with the requirements of Sections 2.2-2.12 Nursery Unit
7 and 2.2-2.12.3.1 Newborn Nursery;

8 (2) a Neonatal Level II nursery shall comply with the requirements of Sections 2.2-2.12 Nursery Unit
9 and 2.2-2.12.3.3 Continuing Care Nursery;

10 (3) a Neonatal Level III nursery shall comply with the requirements of Section 2.2-2.10 Neonatal
11 Intensive Care Unit; and

12 (4) a Neonatal Level IV nursery shall comply with the requirements of Section 2.2-2.10 Neonatal
13 Intensive Care Unit.

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15 *History Note: Authority G.S. 131E-79; S.L. 2017-174;*
16 *Temporary Adoption Eff. December 1, ~~2017~~ 2017;*
17 *Eff. Pending Legislative Review.*