



North Carolina Department of Health and Human Services  
Division of Health Service Regulation  
Office of the Director

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**MINUTES OF PUBLIC HEARING**  
**MARCH 11, 2014**  
**10:00 A.M.**

**Division Staff Present:**

Megan Lamphere, N.C. Medical Care Commission Rule-making Coordinator  
Azzie Conley, DHSR Acute & Home Care Licensure & Certification Section  
Nadine Pfeiffer, DHSR Medical Facilities Planning Branch  
Donnie Sides, DHSR Office of Emergency Medical Services

**Others Present:**

Frank Kirschbaum, Surgical Care Associates  
Donna Norton, Capital City Surgery Center  
Laurie Wamsley, Capital City Surgery Center

**1. Purpose of Hearing**

The purpose of this public hearing was to solicit verbal and/or written comments from the public on the temporary amendment of rules 10A NCAC 13B .1906 and .3110 and 10A NCAC 13C .0202, .0205, and .0301, as published on the Office of Administrative Hearings website on February 21, 2014.

The public hearing was opened by Megan Lamphere at 10:00 a.m. There were three members of the public in attendance.

Mr. Frank Kirschbaum was the only member of the public who indicated that he wished to provide verbal comment on the proposed temporary rules. In summary, Mr. Kirschbaum requested that the term "charges" in both Subchapters (13B & 13C) be well-defined. He also stated that, as written in rules 10A NCAC 13B .3110 and 10A NCAC 13C .0205, it is unclear whether the list of charges to be provided to a patient in an itemized bill is a list of charges prior to or after a procedure is performed.

Staff present at the meeting, in particular Ms. Azzie Conley, explained that the intent of the language in the rules is for the itemized bill to include those charges that were incurred by a patient for a procedure that had already been performed. The language in the rule states, "*charges or expenses incurred by the patient.*" Related to the definition of charges, this issue would be addressed in the next phase of rule-making which will focus on the transparency portion of the legislation.



<http://www.ncdhhs.gov/dhsr/>

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**2. Adjournment**

There being no additional comments, the hearing was adjourned at 10:20 a.m. The N.C. Medical Care Commission will consider all comments received. The public comment period for these proposed temporary rules concludes on Friday, March 14, 2014.

**3. Written Comments**

To date, one written comment has been received on proposed temporary rule 10A NCAC 13B .1906. Mr. Mike Vicario, Vice-President of Regulatory Affairs for the N.C. Hospital Association, submitted a comment via e-mail on March 7, 2014. Mr. Vicario suggested that the proposed rule language in this rule be placed in a rule under Section .3000 of Subchapter 13B, which pertains to the licensure requirements for hospitals. The N.C. Medical Care Commission will consider this suggestion.

No other written comments have been received at this time.

Respectfully Submitted,



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Megan Lamphere, Rule-Making Coordinator

Date: 2014-03-14