



North Carolina Department of Health and Human Services
Division of Health Service Regulation

Pat McCrory
Governor

Richard O. Brajer
Secretary

Mark Payne
Assistant Secretary for Audit and
Health Service Regulation

MEMORANDUM

DATE: June 15, 2016
TO: Interested Parties
FROM: Nadine Pfeiffer, Rule Review Manager *NP*
RE: Proposed Amendment of Acute and Home Care Licensure and Certification Rules
10A NCAC 13B and 10A NCAC 13C

GS 150B-21.2 requires a rule-making body to notify certain individuals of its intent to adopt a permanent rule. It also requires notification of the date, time and location of the public hearing on the rule and any fiscal note that has been prepared in connection with the proposed rule.

Session Law 2015-241, HB97, s.12A.15(a) known as the “Health Care Cost Reduction and Transparency Act Revisions” requires the N.C. Medical Care Commission to adopt rules to implement the provisions of the section of the Session Law. This law revised G.S. 131E-214.13 to require annual data reporting. Temporary rules were promulgated by the agency in response to these statute changes that became effective 3/31/16. These proposed rules are part of the process of making these permanent rules replace the temporary rules in accordance with G.S. 150B-21.1(d)(5). Accordingly, the Commission 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:

10A NCAC 13B Licensing of Hospitals
10A NCAC 13B .2102 Reporting Requirements (Amend)

10A NCAC 13C Licensing of Ambulatory Surgical Facilities
10A NCAC 13C .0206 Reporting Requirements (Amend)

The Office of State Budget and Management reviewed the rule change and in accordance with G.S. 150B-21.4, determined the rule change has little to no impact on state or local governments and no substantial economic impact; therefore, a fiscal note is not required.



Office of the Director

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The proposed rule text is attached to this memo and will be published in the June 15, 2016 edition of the N.C. Register which can be found at the Office of Administrative Hearings web site at <http://www.ncoah.com/rules/register>.

A public hearing is scheduled for August 10, 2016 at 2:00 p.m. in Room 131, Wright Building, 1201 Umstead Drive, Raleigh, NC 27603. The building is located on the Dorothea Dix Hospital campus. The Commission is accepting public comments on these rules from June 15, 2016 – August 15, 2016. Comments will also be accepted in person at the public hearing. The proposed effective date of these rules is January 31, 2017.

A copy of the proposed rules and instructions for submitting comment can be found at the Division of Health Service Regulation web site at www2.ncdhhs.gov/dhsr/ruleactions.html. If you have questions related to the proposed rules please contact the Acute and Home Care Licensure and Certification Section at (919) 855-4620.

Enclosures

cc: Dr. John Fagg, MD, Chair, N.C. Medical Care Commission
Mark Payne, Assistant Secretary for Audit and Health Service Regulation
Joel Johnson, Assistant General Counsel, DHHS
Azzie Conley, Chief, Acute and Home Care Licensure and Certification Section
Clarence Ervin, Assistant Chief, Acute and Home Care Licensure and Certification Section