

1 10A NCAC 13E .0207 is adopted with changes as published in 31:06 NCR, pp. 462-474, as follows:

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3 **10A NCAC 13E .0207 SUSPENSION OF ADMISSIONS**

4 (a) The Division of Health Service Regulation may suspend the admission of participants to overnight respite services
5 when warranted under the provisions of G.S. 131D-6.1 and G.S. 131D-2.7.

6 (b) The Division shall notify the overnight respite service licensee by certified mail of the decision to suspend
7 admissions. Such notice ~~will~~ shall include:

8 (1) the period of the suspension;

9 (2) factual allegations;

10 (3) citation of statutes and rules alleged to be violated; and

11 (4) notice of the licensee's right to a contested case hearing regarding the suspension.

12 (c) The suspension ~~is~~ shall be effective on the date specified in the notice of suspension. The suspension shall remain
13 effective for the period specified in the ~~notice,~~ notice or until the overnight respite service demonstrates to the Division
14 that conditions are no longer detrimental to the health and safety of the ~~participants.~~ participants based on the factors
15 set forth in G.S. 131D-2.7(d)(2).

16 (d) The overnight respite service shall not admit any participants during the effective period of the suspension.

17 (e) Any action taken by the Division to revoke a license for overnight respite services shall be accompanied by a
18 suspension of admissions. ~~A suspension may be ordered without the license being affected.~~

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20 *History Note: Authority G.S. 131D-2.7; 131D-6.1;*

21 *Eff. April 1, 2017.*