



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

ROY COOPER • Governor

MANDY COHEN, MD, MPH • Secretary

MARK PAYNE • Director, Division of Health Service Regulation

MEMORANDUM

DATE: March 15, 2021

TO: Interested Parties

FROM: Nadine Pfeiffer, Rule Review Manager *NP*

RE: Proposed Readoption and Amendment of Hospice Licensing Rules – 10A NCAC 13K

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. At this time, 13 rules are being readopted as a result of the periodic review of the Subchapter 10A NCAC 13C rules, thereby requiring rules determined as “Necessary With Substantive Public Interest” be readopted as new rules and three rules are being amended for clarification and to update to N.C. State Electrical Codes.

The North Carolina Medical Care 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 13K Hospice Licensing Rules

10A NCAC 13K .1109	Resident Care Areas (Readopt)
10A NCAC 13K .1112	Design and Construction (Amend)
10A NCAC 13K .1113	Plans and Specifications (Readopt)
10A NCAC 13K .1114	Plumbing (Readopt)
10A NCAC 13K .1115	Waste Disposal (Readopt)
10A NCAC 13K .1116	Application of Physical Plant Requirements (Readopt)
10A NCAC 13K .1201	Requirements for Hospice Inpatient Units (Readopt)
10A NCAC 13K .1204	Additional Patient Care Area Requirements for Hospice Inpatient Units (Readopt)
10A NCAC 13K .1205	Furnishings for Hospice Inpatient Care (Readopt)
10A NCAC 13K .1206	Hospice Inpatient Fire and Safety Requirements (Readopt)
10A NCAC 13K .1207	Hospice Inpatient Requirements for Heating/Air Conditioning (Readopt)
10A NCAC 13K .1208	Hospice Inpatient Requirements/Emergency Electrical Service (Readopt)
10A NCAC 13K .1209	Hospice Inpatient Requirements for General Electrical (Amend)

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

OFFICE OF THE DIRECTOR

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10A NCAC 13K .1210 Other Hospice Inpatient Requirements (Amend)
10A NCAC 13K .1211 Additional Plumbing Requirements/Hospice Inpatient Units (Readopt)
10A NCAC 13K .1212 Application of Physical Plant Requirements (Readopt)

Approval of the fiscal analysis for these rules was obtained from the Office of State Budget and Management on January 11, 2021 in accordance with G.S. 150B-21.4.

The proposed rule text is attached to this memo. The rules were published in today's March 15, 2021 edition of the N.C. Register which can be found at the Office of Administrative Hearings web site at <https://www.oah.nc.gov/documents/nc-register>.

A public hearing is scheduled for April 28, 2021 at 10:00 a.m. by teleconference. If you would like to participate in the public hearing, please use the following conference telephone number: 1-877-848-7030, and access code: 5133201. Ms. Nadine Pfeiffer, DHSR Rule Review Manager, is accepting public comments on these rules and the fiscal analysis from March 15, 2021 through May 14, 2021. Comments will also be accepted via conference call at the public hearing. The proposed effective date of these rules is October 1, 2021.

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>.

Should you have questions related to this memorandum or the proposed rule and fiscal note, please feel free to contact the Construction Section at (919) 855-3893.

Enclosures

cc: Mark Payne, Director, DHSR
Emery Milliken, Deputy Director, DHSR
Joel Johnson, Assistant General Counsel, DHHS
Jeff Harms, Chief, Construction Section
Tammy Sylvester, Engineering Supervisor, Construction Section