

1 10A NCAC 14C .2403 is proposed for re adoption without substantive changes as follows:

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3 **10A NCAC 14C .2403 PERFORMANCE STANDARDS**

4 (a) An applicant proposing to add ~~ICF/MR~~ intermediate care facility for individuals with intellectual disabilities
5 (ICF/IID) beds to an existing facility shall not be approved unless the average occupancy, over the six months
6 immediately preceding the submittal of the application, of the total number of ~~ICF/MR~~ ICF/IID beds within the facility
7 in which the new beds are to be operated was at least 90 percent.

8 (b) An applicant proposing to establish new ~~ICF/MR~~ ICF/IID beds shall not be approved unless occupancy is
9 projected to be at least 90 percent for the total number of ~~ICF/MR~~ ICF/IID beds proposed to be operated in the entire
10 facility, no later than one year following the completion of the proposed project.

11 (c) An applicant proposing to establish new ~~ICF/MR~~ ICF/IID beds shall comply with one of the following models:

12 (1) a residential community based freestanding facility with six beds or less, i.e., group home model; or

13 (2) a community-based facility with 7 to 15 beds if documentation is provided that a facility of this size
14 is necessary because adequate residential community based freestanding facilities are not available
15 in the Area Authority catchment area to meet the needs of the population to be ~~served~~; or served.

16 ~~(3) a facility with greater than 15 beds if the proposed new beds are to be established in response to an~~
17 ~~adjusted need determination contained in the 2003 State Medical Facilities Plan.~~

18 (d) No more than three ~~intermediate care facilities for the mentally retarded~~ ICF/IID facilities housing a combined
19 total of 18 persons shall be developed on contiguous pieces of ~~property, with the exception that this standard shall be~~
20 ~~waived for beds proposed to be established in response to an adjusted need determination contained in the 2003 State~~
21 ~~Medical Facilities Plan.~~ property.

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23 *History Note: Authority G.S. ~~131E-177(1), (5); 131E-177(1); 131E-177(5); 131E-183;~~*

24 *Eff. November 1, 1996;*

25 *Temporary Amendment Eff. January 1, 2003;*

26 *Amended Eff. August 1, 2004, 2004;*

27 *Readopted Eff. January 1, 2022.*