

1 10A NCAC 13F .0704 is proposed for readoption with substantive changes as follows:

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3 **10A NCAC 13F .0704 RESIDENT CONTRACT, INFORMATION ON HOME FACILITY, AND**
4 **RESIDENT REGISTER**

5 (a) An adult care home administrator or ~~administrator in charge~~ or their management designee shall furnish and
6 review with the resident or ~~responsible person~~ the resident's authorized representative as defined in Rule .1103 of this
7 Subchapter information on the ~~home facility~~ upon admission and when changes are made to that information. The
8 facility shall involve the resident in the review of the resident contract and information on the facility unless the
9 resident is cognitively unable to participate in the discussion. A statement indicating that this information has been
10 received upon admission or amendment as required by this Rule shall be signed and dated by each person to whom it
11 is given and retained in the resident's record in the ~~home facility~~. The information shall include the following:

- 12 (1) the resident contract to which the following applies:
- 13 (A) the contract shall specify ~~rates~~ charges for resident services and accommodations,
14 including the cost of different levels of service, ~~if applicable,~~ description of levels of care
15 and services, and any other charges or fees;
- 16 (B) the contract shall disclose any health needs or conditions that the facility has determined it
17 cannot ~~meet pursuant to G.S. 131D-2(a1)(4); meet;~~
- 18 (C) the contract shall be signed and dated by the administrator or ~~administrator in charge~~
19 management designee and the resident or ~~responsible person,~~ the resident's authorized
20 representative, a copy given to the resident or ~~responsible person~~ the resident's authorized
21 representative and a copy kept in the resident's record;
- 22 (D) the resident or ~~responsible person~~ the resident's authorized representative shall be ~~notified~~
23 as soon as any change is known, but not less than 30 days before the change for rate changes
24 initiated by the facility, of any changes in the contract given a written 30-day notice prior
25 to any change in charges for resident services and accommodations, including the cost of
26 different levels of service, description of level of care and services, and any other charges
27 or fees, and be provided an amended contract or an amendment to the contract for review
28 and ~~signature;~~ confirmation of receipt;
- 29 (E) gratuities in addition to the established rates shall not be accepted; and
- 30 (F) the maximum monthly adult care home rate that may be charged to Special Assistance
31 recipients ~~is~~ as established by the North Carolina Social Services Commission and the
32 North Carolina General Assembly.

33 Note: Facilities may accept payments for room and board from a third party, such as family member, charity or faith
34 community, if the payment is made voluntarily to supplement the cost of room and board for the added benefit of a
35 private room or a private or semi-private room in a special care unit.

- 36 (2) a written copy of all house rules, including facility policies on smoking, alcohol consumption,
37 visitation, refunds and the requirements for discharge of residents consistent with the rules of this

1 Subchapter, and amendments disclosing any changes in the house ~~rules~~; rules. The house rules shall
 2 be in compliance with G.S. 131D-21;

3 (3) a copy of the Declaration of Residents' Rights as found in G.S. 131D-21;

4 (4) a copy of the ~~home's facility's~~ grievance procedures ~~which that~~ shall indicate how the resident is to
 5 present complaints and make suggestions as to the ~~home's facility's~~ policies and services on behalf
 6 of himself or herself or others; and

7 (5) a statement as to whether the ~~home facility~~ has signed Form DSS-1464, Statement of Assurance of
 8 Compliance with Title VI of the Civil Rights Act of 1964 for Other Agencies, Institutions,
 9 Organizations or Facilities, and which shall also indicate that, if the ~~home facility~~ does not choose
 10 to comply or is ~~found to be in non-compliance~~, non-compliant, the residents of the ~~home facility~~
 11 would not be able to receive State-County Special Assistance for Adults and the ~~home facility~~ would
 12 not receive supportive services from the county department of social services.

13 (b) The administrator or ~~administrator in charge~~ their management designee and the resident or the resident's
 14 responsible person representative shall complete and sign the Resident Register initial assessment within 72 hours of
 15 the resident's admission to the facility ~~and revise the information on the form as needed.~~ in accordance with G.S.
 16 131D-2.15. The facility shall involve the resident in the completion of the Resident Register unless the resident is
 17 cognitively unable to participate. The Resident Register shall include the following:

18 (1) resident's identification information including the resident's name, date of birth, sex, admission
 19 date, medical insurance, family and emergency contacts, advanced directives, and physician's name
 20 and address;

21 (2) resident's current care needs including activities of daily living and services, use of assistive aids,
 22 orientation status;

23 (3) resident's preferences including personal habits, food preferences and allergies, community
 24 involvement, and activity interests;

25 (4) resident's consent and request for assistance including the release of information, personal funds
 26 management, personal lockable space, discharge information, and assistance with personal mail;

27 (5) name of the individual identified by the resident who is to receive a copy of the notice of discharge
 28 per G.S. 131D-4.8; and

29 (6) resident's consent including a signature confirming the review and receipt of information contained
 30 in the form.

31 The Resident Register is available on the internet website, <https://info.ncdhhs.gov/dhsr/acls/pdf/resregister.pdf> ~~or at~~
 32 ~~no charge from the Division of Health Service Regulation, Adult Care Licensure Section, 2708 Mail Service Center,~~
 33 ~~Raleigh, NC 27699-2708.~~ charge. The facility may use a resident information form other than the Resident Register
 34 as long as it contains ~~at least~~ the same information as the Resident Register. Information on the Resident Register shall
 35 be kept updated and maintained in the resident's record.

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 37 *History Note: Authority 131D-2.15; 131D-2.16; 143B-165;*

1 *Temporary Adoption Eff. July 1, 2004;*
2 *Eff. July 1, 2005.*
3 *Amended Eff. April 1, ~~2022~~ 2022;*
4 *Readopted Eff. January 1, 2024.*