

10A NCAC 13F .0704 RESIDENT CONTRACT, INFORMATION ON FACILITY, AND RESIDENT REGISTER

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

- (1) the resident contract to which the following applies:
 - (A) the contract shall specify charges for resident services and accommodations, including the cost of different levels of service, description of levels of care and services, and any other charges or fees;
 - (B) the contract shall disclose any health needs or conditions that the facility has determined it cannot meet;
 - (C) the contract shall be signed and dated by the administrator or management designee and the resident or the resident's authorized representative, a copy given to the resident or the resident's authorized representative and a copy kept in the resident's record;
 - (D) the resident or the resident's authorized representative shall be given a written 30-day notice prior to any change in charges for resident services and accommodations, including the cost of different levels of service, description of level of care and services, and any other charges or fees, and be provided an amended contract or an amendment to the contract for review and confirmation of receipt;
 - (E) gratuities in addition to the established rates shall not be accepted; and
 - (F) the maximum monthly adult care home rate that may be charged to Special Assistance recipients as established by the North Carolina Social Services Commission and the North Carolina General Assembly.
- (2) a written copy of all house rules, including facility policies on smoking, alcohol consumption, visitation, refunds and the requirements for discharge of residents consistent with the rules of this Subchapter, and amendments disclosing any changes in the house rules. The house rules shall be in compliance with G.S. 131D-21;
- (3) a copy of the Declaration of Residents' Rights as found in G.S. 131D-21;
- (4) a copy of the facility's grievance procedures that shall indicate how the resident is to present complaints and make suggestions as to the facility's policies and services on behalf of himself or herself or others; and
- (5) a statement as to whether the facility has signed Form DSS-1464, Statement of Assurance of Compliance with Title VI of the Civil Rights Act of 1964 for Other Agencies, Institutions, Organizations or Facilities, and which shall also indicate that, if the facility does not choose to comply or is non-compliant, the residents of the facility would not be able to receive State-County Special Assistance for Adults and the facility would not receive supportive services from the county department of social services.

(b) The administrator or their management designee and the resident or the resident's representative shall complete and sign the Resident Register initial assessment within 72 hours of the resident's admission to the facility in accordance with G.S. 131D-2.15. The facility shall involve the resident in the completion of the Resident Register unless the resident is cognitively unable to participate. The Resident Register shall consist of the following:

- (1) resident's identification information including the resident's name, date of birth, sex, admission date, medical insurance, family and emergency contacts, advanced directives, and physician's name and address;
- (2) resident's current care needs including activities of daily living and services, use of assistive aids, orientation status;
- (3) resident's preferences including personal habits, food preferences and allergies, community involvement, and activity interests;
- (4) resident's consent and request for assistance including the release of information, personal funds management, personal lockable space, discharge information, and assistance with personal mail;
- (5) name of the individual identified by the resident who is to receive a copy of the notice of discharge per G.S. 131D-4.8; and

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

The Resident Register is available on the internet website, <https://info.ncdhhs.gov/dhsr/acls/pdf/resregister.pdf> at no charge. The facility may use a resident information form other than the Resident Register as long as it contains the same information as the Resident Register. Information on the Resident Register shall be kept updated and maintained in the resident's record.

*History Note: Authority 131D-2.15; 131D-2.16; 143B-165;
Temporary Adoption Eff. July 1, 2004;
Eff. July 1, 2005;
Amended Eff. April 1, 2022;
Readopted Eff. June 1, 2024.*