



NC DEPARTMENT OF  
**HEALTH AND  
HUMAN SERVICES**

ROY COOPER • Governor

KODY H. KINSLEY • Secretary

MARK PAYNE • Director, Division of Health Service Regulation

**MEMORANDUM**

**DATE:** June 17, 2024

**TO:** Interested Parties

**FROM:** Taylor Corpening, Rule Review Manager

**RE:** Proposed Amendment and Adoption of Licensure of Suitable Facilities for the Performance of Surgical Abortions Rules – 10A NCAC 13S

GS 150B-21.2 requires a rule-making body to notify certain individuals of its intent to adopt a permanent rule. It also requires notification of the date, time and location of the public hearing on the rule and any fiscal note that has been prepared in connection with the proposed rule.

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 adopting all of the following rules:

10A NCAC 13S Licensure of Suitable Facilities for the Performance of Surgical Abortions

- 10A NCAC 13S .0101 Definitions
- 10A NCAC 13S .0104 Plans
- 10A NCAC 13S .0201 Building Code Requirements
- 10A NCAC 13S .0207 Area Requirements
- 10A NCAC 13S .0212 Elements and Equipment
- 10A NCAC 13S .0318 Governing Authority
- 10A NCAC 13S .0319 Policies and Procedures and Administrative Records
- 10A NCAC 13S .0320 Admission and Discharge
- 10A NCAC 13S .0321 Medical Records
- 10A NCAC 13S .0322 Personnel Records
- 10A NCAC 13S .0323 Nursing Service
- 10A NCAC 13S .0324 Quality Assurance
- 10A NCAC 13S .0325 Laboratory Services
- 10A NCAC 13S .0326 Emergency Back-Up Services
- 10A NCAC 13S .0327 Outpatient Procedural Services
- 10A NCAC 13S .0328 Medications and Sedation
- 10A NCAC 13S .0329 Post Procedural Care
- 10A NCAC 13S .0330 Cleaning of Materials and Equipment
- 10A NCAC 13S .0331 Food Service

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

**OFFICE OF THE DIRECTOR**

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AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

In accordance with G.S. 150B-21.4, approval of the fiscal note was received for these rules from the Office of State Budget and Management on May 15, 2024

The proposed rule text is attached to this memo and were published in today's June 17, 2024 edition of the N.C. Register which can be found at the Office of Administrative Hearings web site at <https://www.oah.nc.gov/rules-division/north-carolina-register>.

A public hearing is scheduled for July 24, 2024 at 10:00 a.m. in Room 026, 809 Ruggles Drive, Raleigh, NC 27603. The building is in the Dorothea Dix Park. Ms. Taylor Corpening, DHSR Rule-Review Manager, is accepting public comments on these rules and fiscal note from June 17, 2024 through August 16, 2024, close of business. Comments will also be accepted in person at the public hearing. The proposed effective date of these rules is October 1, 2024.

A copy of the proposed rules, fiscal note, 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>.

Please feel free to contact the Acute and Home Care Licensure and Certification Section at (919) 855-4620, should you have questions related to this memorandum or the proposed rule text and fiscal note.

Enclosures

cc: John Meier, IV, MD, Chair, N.C. Medical Care Commission  
Mark Payne, Director, Health Service Regulation  
Emery Milliken, Deputy Director, DHSR  
Raj Premakumar, Deputy General Counsel, DHHS  
Azzie Conley, Chief, Acute and Home Care Licensure and Certification Section  
Jeff Harms, Acting Chief, Construction Section  
Greta Hill, Assistant Chief, Acute and Home Care Licensure and Certification Section  
Tammy Sylvester, Engineering Supervisor, Construction Section