



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

JOSH STEIN • Governor

DEVPUTTA SANGVAI • Secretary

MARK PAYNE • Director, Division of Health Service Regulation

MEMORANDUM

DATE: June 19, 2026

TO: Interested Parties

FROM: Shanah Black, Rule Review Manager *SFB*

RE: Proposed Temporary Adoption of Rule – 10A NCAC 13E
Licensing of Overnight Respite Services

GS 150B-21.1 requires a rule-making body to notify certain individuals of its intent to publish a temporary rule on the Office of Administrative Hearings website. It also requires notification of the date, time and location of the public hearing on the rules.

The N.C. Department of Health and Human Services has submitted form OAH 0700 to the Codifier of Rules, Office of Administrative Hearings, indicating their intent to adopt the following rules with temporary procedures that are critical to the health and safety of individuals in overnight respite services programs.

The N.C. Medical Care Commission has submitted form OAH 0600 to the Codifier of Rules, Office of Administrative Hearings, indicating its intent to proceed with the following rule-making actions:

10A NCAC 13E Licensing of Overnight Respite Services

10A NCAC 13E .0302	Capacity	(Amend)	
10A NCAC 13E .0303	Design and Construction		(Amend)
10A NCAC 13E .0305	Living Area	(Amend)	
10A NCAC 13E .0306	Dining Area	(Amend)	
10A NCAC 13E .0308	Bedrooms	(Amend)	
10A NCAC 13E .0309	Bathrooms	(Amend)	
10A NCAC 13E .0312	Outside Entrance and Exits	(Amend)	
10A NCAC 13E .0316	Fire Safety and Disaster Plan	(Amend)	
10A NCAC 13E .0317	Building Service Equipment	(Amend)	
10A NCAC 13E .0318	Outside Premises	(Amend)	
10A NCAC 13E .0403	Staff and Staffing	(Amend)	
10A NCAC 13E .0601	Enrollment and Participants	(Amend)	

A public hearing is scheduled for July 15, 2026, at 10:00 a.m. in Conference Room 02210, Department of Health and Human Services Headquarters, 1915 Health Service Ways, Raleigh, NC 27607. Ms. Shanah Black, DHSR Rule-Review Manager, is accepting public comments on these rules from June 28, 2026,

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

OFFICE OF THE DIRECTOR

LOCATION: DHHS Headquarters, 1915 Health Services Way, Raleigh, NC 27607

MAILING ADDRESS: 2701 Mail Service Center, Raleigh, NC 27699-2701

<https://info.ncdhhs.gov/dhsr/> • TEL: 919-855-3750 • FAX: 919-733-2757

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

through July 20, 2026, close of business. Comments will also be accepted in person at the public hearing. The proposed effective date of these rules is November 1, 2026.

Please feel free to contact the Division of Health Service Regulation at (919) 855-3750, should you have questions related to this memorandum or the proposed rule text and fiscal note.

Enclosures

cc: Mark Payne, Director, Health Service Regulation
Emery Milliken, Deputy Director, DHSR
Raj Premakumar, Assistant General Counsel, DHHS
Megan Lamphere, Section Chief, Adult Care Licensure Section
Shalisa Jones, Adult Care Licensure Section
Dr. John Meier IV, Chairman, N.C. Medical Care Commission