

Key:
* Rulemaking will result

Initial Category Determination Evaluation Report

Exhibit D/1

G.S. 150B-21.3A Report for 10A NCAC 13K, HOSPICE LICENSING RULES

Agency - Medical Care Commission

Comment Period - 2/23/18 - 4/24/18

Rules Submitted to APO: 11/11/17 by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
*	SECTION .0100 - GENERAL INFORMATION	10A NCAC 13K .0102	DEFINITIONS	Amended Eff. February 1, 1996	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.3	Select One	Select One	Select One	Select One	Select One
	SECTION .0200 - LICENSE	10A NCAC 13K .0201	LICENSE REQUIRED	Amended Eff. February 1, 1996	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.116	Select One	Select One	Select One	Select One	Select One
		10A NCAC 13K .0202	APPLICATION FOR AND ISSUANCE OF A LICENSE	Amended Eff. April 1, 1996	Necessary without substantive public interest	No		Select One	Select One	Select One	Select One	Select One
		10A NCAC 13K .0206	ADVERSE ACTION	Amended Eff. February 1, 1996	Necessary without substantive public interest	No		Select One	Select One	Select One	Select One	Select One
		10A NCAC 13K .0208	INSPECTIONS	Amended Eff. February 1, 1996	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest	Select One	Necessary without substantive public interest and should remain in effect without further action	Select One
		10A NCAC 13K .0209	MULTIPLE PREMISES	Eff. February 1, 1996	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.116	Select One	Necessary without substantive public interest	Select One	Necessary without substantive public interest and should remain in effect without further action	Select One
		10A NCAC 13K .0210	COMPLIANCE WITH LAWS	Eff. February 1, 1996	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.116	Select One	Necessary without substantive public interest	Select One	Necessary without substantive public interest and should remain in effect without further action	Select One
	SECTION .0300 - ADMINISTRATION	10A NCAC 13K .0301	AGENCY MANAGEMENT AND SUPERVISION	Amended Eff. February 1, 1996	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.100	Select One	Necessary without substantive public interest	Select One	Necessary without substantive public interest and should remain in effect without further action	Select One
		10A NCAC 13K .0303	ADMINISTRATIVE FINANCIAL AND STATISTICAL RECORDS	Amended Eff. February 1, 1996	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest	Select One	Necessary without substantive public interest and should remain in effect without further action	Select One
*	SECTION .0400 - PERSONNEL	10A NCAC 13K .0401	PERSONNEL	Amended Eff. February 1, 1996	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.60	Select One	Necessary with substantive public interest	Select One	Necessary with substantive public interest and must be readopted	Select One
		10A NCAC 13K .0402	INSERVICE EDUCATION AND TRAINING	Amended Eff. February 1, 1996	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.112	Select One	Necessary without substantive public interest	Select One	Necessary without substantive public interest and should remain in effect without further action	Select One
	SECTION .0500 - SCOPE OF SERVICES	10A NCAC 13K .0501	SERVICE REQUIREMENTS	Amended Eff. February 1, 1996	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.70	Select One	Necessary without substantive public interest	Select One	Necessary without substantive public interest and should remain in effect without further action	Select One
		10A NCAC 13K .0504	HOME MEDICAL EQUIPMENT AND SUPPLIES	Amended Eff. February 1, 1996	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.106	Select One	Necessary without substantive public interest	Select One	Necessary without substantive public interest and should remain in effect without further action	Select One
		10A NCAC 13K .0505	SERVICES ARRANGED WITH OTHER AGENCIES AND INDIVIDUALS	Amended Eff. February 1, 1996	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.108	Select One	Necessary without substantive public interest	Select One	Necessary without substantive public interest and should remain in effect without further action	Select One
	SECTION .0600 - PATIENT/FAMILY CARE	10A NCAC 13K .0601	ACCEPTANCE OF PATIENTS FOR HOSPICE SERVICES	Amended Eff. February 1, 1996	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.56	Select One	Necessary without substantive public interest	Select One	Necessary without substantive public interest and should remain in effect without further action	Select One

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Agency - Medical Care Commission

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Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
*		10A NCAC 13K .0604	PATIENT'S RIGHTS AND RESPONSIBILITIES	Eff. February 1, 1996	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.52	Select One	Necessary with substantive public interest	Select One	Necessary with substantive public interest and must be readopted	Select One
		10A NCAC 13K .0605	HOME CARE	Eff. April 1, 1996	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest	Select One	Necessary without substantive public interest and should remain in effect without further action	Select One
*	SECTION .0700 - PATIENT/FAMILY CARE PLAN	10A NCAC 13K .0701	CARE PLAN	Amended Eff. February 1, 1996	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.56	Select One	Necessary with substantive public interest	Select One	Necessary with substantive public interest and must be readopted	Select One
	SECTION .0800 - PHARMACEUTICAL AND MEDICAL TREATMENT ORDERS AND ADMINISTRATION	10A NCAC 13K .0801	PHARMACEUTICAL AND MEDICAL TREATMENT ORDERS	Amended Eff. April 1, 1996	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.106	Select One	Necessary without substantive public interest	Select One	Necessary without substantive public interest and should remain in effect without further action	Select One
		10A NCAC 13K .0802	ADMINISTRATION OF PHARMACEUTICALS	Amended Eff. February 1, 1996	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.106	Select One	Necessary without substantive public interest	Select One	Necessary without substantive public interest and should remain in effect without further action	Select One
	SECTION .0900 - MEDICAL RECORDS	10A NCAC 13K .0901	CONTENT OF MEDICAL RECORD	Amended Eff. April 1, 1996	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.104	Select One	Necessary without substantive public interest	Select One	Necessary without substantive public interest and should remain in effect without further action	Select One
		10A NCAC 13K .0902	RECORD CONTENT, HANDLING AND RETENTION	Amended Eff. February 1, 1996	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.104	Select One	Necessary without substantive public interest	Select One	Necessary without substantive public interest and should remain in effect without further action	Select One
	SECTION .1000 - EVALUATION	10A NCAC 13K .1001	EVALUATION REQUIRED	Amended Eff. February 1, 1996	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.10	Select One	Necessary without substantive public interest	Select One	Necessary without substantive public interest and should remain in effect without further action	Select One
	SECTION .1100 - HOSPICE RESIDENTIAL CARE	10A NCAC 13K .1101	ADMINISTRATION	Eff. June 1, 1991	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest	Select One	Necessary without substantive public interest and should remain in effect without further action	Select One
		10A NCAC 13K .1102	HOSPICE RESIDENCE STAFFING	Amended Eff. February 1, 1996	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest	Select One	Necessary without substantive public interest and should remain in effect without further action	Select One
		10A NCAC 13K .1103	PHARMACEUTICAL SERVICES	Eff. June 1, 1991	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest	Select One	Necessary without substantive public interest and should remain in effect without further action	Select One
*		10A NCAC 13K .1104	DIETARY SERVICES	Eff. June 1, 1991	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.110	Select One	Necessary with substantive public interest	Select One	Necessary with substantive public interest and must be readopted	Select One
		10A NCAC 13K .1105	HOSPICE VISITATION	Eff. June 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.110	Select One	Necessary without substantive public interest	Select One	Necessary without substantive public interest and should remain in effect without further action	Select One
		10A NCAC 13K .1106	INFECTION CONTROL	Eff. June 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.56	Select One	Necessary without substantive public interest	Select One	Necessary without substantive public interest and should remain in effect without further action	Select One

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		10A NCAC 13K .1107	HOUSEKEEPING AND LINENS	Eff. June 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.110	Select One	Necessary without substantive public interest	Select One	Necessary without substantive public interest and should remain in effect without further action	Select One
		10A NCAC 13K .1108	REPORT OF DEATH	Eff. June 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.110	Select One	Necessary without substantive public interest	Select One	Necessary without substantive public interest and should remain in effect without further action	Select One
*		10A NCAC 13K .1109	RESIDENT CARE AREAS	Amended Eff. February 1, 1995	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.110	Select One	Necessary with substantive public interest	Select One	Necessary with substantive public interest and must be readopted	Select One
		10A NCAC 13K .1110	FURNISHINGS	Eff. June 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.110	Select One	Necessary without substantive public interest	Select One	Necessary without substantive public interest and should remain in effect without further action	Select One
		10A NCAC 13K .1111	HOSPICE RESIDENCE ZONING AND FIRE SAFETY REQUIREMENTS	Eff. June 1, 1991	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest	Select One	Necessary without substantive public interest and should remain in effect without further action	Select One
		10A NCAC 13K .1112	DESIGN AND CONSTRUCTION	Eff. June 1, 1991	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest	Select One	Necessary without substantive public interest and should remain in effect without further action	Select One
*		10A NCAC 13K .1113	PLANS AND SPECIFICATIONS	Amended Eff. February 1, 1996	Necessary with substantive public interest	No		Select One	Necessary with substantive public interest	Select One	Necessary with substantive public interest and must be readopted	Select One
*		10A NCAC 13K .1114	PLUMBING	Eff. June 1, 1991	Necessary with substantive public interest	No		Select One	Necessary with substantive public interest	Select One	Necessary with substantive public interest and must be readopted	Select One
*		10A NCAC 13K .1115	WASTE DISPOSAL	Eff. June 1, 1991	Necessary with substantive public interest	No		Select One	Necessary with substantive public interest	Select One	Necessary with substantive public interest and must be readopted	Select One
*		10A NCAC 13K .1116	APPLICATION OF PHYSICAL PLANT REQUIREMENTS	Eff. February 1, 1996	Necessary with substantive public interest	No		Select One	Necessary with substantive public interest	Select One	Necessary with substantive public interest and must be readopted	Select One
*	SECTION .1200 - HOSPICE INPATIENT CARE	10A NCAC 13K .1201	REQUIREMENTS FOR HOSPICE INPATIENT UNITS	Eff. June 1, 1991	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.110	Select One	Necessary with substantive public interest	Select One	Necessary with substantive public interest and must be readopted	Select One
		10A NCAC 13K .1202	ADDITIONAL STAFFING REQUIREMENTS FOR HOSPICE INPATIENT UNITS	Amended Eff. January 1, 2010	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.110	Select One	Necessary without substantive public interest	Select One	Necessary without substantive public interest and should remain in effect without further action	Select One
		10A NCAC 13K .1203	ADDITIONAL SERVICES REQUIRED FOR HOSPICE INPATIENT CARE	Eff. June 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.100	Select One	Necessary without substantive public interest	Select One	Necessary without substantive public interest and should remain in effect without further action	Select One
*		10A NCAC 13K .1204	ADDITIONAL PATIENT CARE AREA REQUIREMENTS FOR HOSPICE INPATIENT UNITS	Amended Eff. February 1, 1996	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.110	Select One	Necessary with substantive public interest	Select One	Necessary with substantive public interest and must be readopted	Select One
*		10A NCAC 13K .1205	FURNISHINGS FOR HOSPICE INPATIENT CARE	Eff. June 1, 1991	Necessary with substantive public interest	No		Select One	Necessary with substantive public interest	Select One	Necessary with substantive public interest and must be readopted	Select One

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*		10A NCAC 13K .1206	HOSPICE INPATIENT FIRE AND SAFETY REQUIREMENTS	Eff. June 1, 1991	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.113	Select One	Necessary with substantive public interest	Select One	Necessary with substantive public interest and must be readopted	Select One
*		10A NCAC 13K .1207	HOSPICE INPATIENT REQUIREMENTS FOR HEATING/AIR CONDITIONING	Eff. June 1, 1991	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.110	Select One	Necessary with substantive public interest	Select One	Necessary with substantive public interest and must be readopted	Select One
*		10A NCAC 13K .1208	HOSPICE INPATIENT REQUIREMENTS/EMERGENCY ELECTRICAL SERVICE	Eff. June 1, 1991	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.110	Select One	Necessary with substantive public interest	Select One	Necessary with substantive public interest and must be readopted	Select One
		10A NCAC 13K .1209	HOSPICE INPATIENT REQUIREMENTS FOR GENERAL ELECTRICAL	Eff. June 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.110	Select One	Necessary without substantive public interest	Select One	Necessary without substantive public interest and should remain in effect without further action	Select One
		10A NCAC 13K .1210	OTHER HOSPICE INPATIENT REQUIREMENTS	Eff. June 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.110	Select One	Necessary without substantive public interest	Select One	Necessary without substantive public interest and should remain in effect without further action	Select One
		10A NCAC 13K .1211	ADDITIONAL PLUMBING REQUIREMENTS/HOSPICE INPATIENT UNITS	Eff. June 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 CFR 418.110	Select One	Necessary without substantive public interest	Select One	Necessary without substantive public interest and should remain in effect without further action	Select One
*		10A NCAC 13K .1212	APPLICATION OF PHYSICAL PLANT REQUIREMENTS	Eff. February 1, 1996	Necessary with substantive public interest	No		Select One	Necessary with substantive public interest	Select One	Necessary with substantive public interest and must be readopted	Select One