

1 10A NCAC 13C .0301 is temporarily adopted, with changes as published on the OAH website, as follows:

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3 **10A NCAC 13C .0301 GOVERNING AUTHORITY**

4 (a) The facility's governing authority shall adopt bylaws or other ~~appropriate~~ operating policies and procedures
5 ~~which shall:~~ to assure that:

6 (1) ~~specify by name the person to whom responsibility for operation and maintenance of the facility is~~
7 ~~delegated and methods established by the governing authority for holding such individuals~~
8 ~~responsible;~~

9 a named individual is identified who is responsible for the overall operation and maintenance of
10 the facility. The governing authority shall have methods in place for the oversight of the
11 individual's performance.

12 (2) ~~provide for~~ at least annual meetings of the governing authority are conducted if the governing
13 authority consists of two or more individuals. Minutes shall be maintained of such meetings;

14 (3) ~~maintain a policies and procedures manual which is designed to ensure professional and safe care~~
15 ~~for the patients. The manual shall be reviewed, and revised when necessary, at least annually.~~

16 a policy and procedure manual is created which is designed to ensure professional and safe care
17 for the patients. The manual shall be reviewed annually and revised when necessary. The manual

18 shall include provisions for administration and use of the facility, compliance, personnel quality
19 assurance, procurement of outside services and consultations, patient care policies and services
20 offered; and

21 (4) ~~provide for annual reviews and evaluations of the facility's policies, management, and operation.~~

22 annual reviews and evaluations of the facility's policies, management, and operation are
23 conducted.

24 (b) When services such as dietary, laundry, or therapy services are purchased from others, the governing authority
25 shall be responsible to assure the supplier meets the same local and state standards the facility would have to meet if
26 it were providing those services itself using its own staff.

27 (c) The governing authority shall provide for the selection and appointment of the professional staff and the
28 granting of clinical privileges and shall be responsible for the professional conduct of these persons.

29 (d) The governing {board} authority shall [assure] establish written policies and procedures to assure billing and
30 collection practices in accordance with G. S. 131E-91. These policies and procedures shall include:

31 (1) how a patient or patient's representative may dispute a bill;

32 ~~[(2) how a patient or patient's representative may appeal a decision made by the facility regarding a~~
33 ~~bill;]~~

34 ~~[(3)]~~ (2) issuance of a refund to the patient resulting from overpayment of a bill;

35 ~~[(4)]~~ (3) providing written notification to the patient or patient's responsible party prior to submitting a
36 delinquent bill to a collection agency;

1 ~~(5)~~ (4) providing the patient or patient's responsible party with the facility's charity care and financial
2 assistance policies, if the facility is required to file a Schedule H, federal form 990; and
3 ~~(6)~~ (5) the requirement that a collections agency, entity, or other assignee obtain written consent from the
4 facility prior to initiating litigation against the patient or responsible party.
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7 *History Note:* Authority G.S. 131E-91; G.S. 131E-149; ~~S.L. 2013-382(s.10.1), (s.13.1); G.S. 131E-91;~~ S.L.
8 2013-382(s.10.1), S.L. 2013-382 (s.13.1);
9 Eff. October 14, 1978;
10 Amended Eff. November 1, 1989; November 1, 1985; December 24, 1979. 1979;
11 Temporary Amendment Eff. May 1, 2014.