



NC DEPARTMENT OF  
**HEALTH AND  
HUMAN SERVICES**

**ROY COOPER** • Governor

**MANDY COHEN, MD, MPH** • Secretary

**MARK PAYNE** • Director, Division of Health Service Regulation

**MEMORANDUM**

**DATE:** June 17, 2019

**TO:** Interested Parties

**FROM:** Nadine Pfeiffer, Rule Review Manager *NP*

**RE:** Proposed Readoption of Licensing of Adult Care Homes of Seven or More Beds and  
Licensing of Family Care Homes Rules: 10A NCAC 13F and 10A NCAC 13G

GS 150B-21.2 requires a rule-making body to notify certain individuals of its intent to adopt a rule. It also requires notification of the date, time and location of the public hearing on the rule and any fiscal analysis that has been prepared in connection with the proposed rule. As a result of the periodic review of the rules in Subchapters 10A NCAC 13F and 10A NCAC 13G, 97 rules determined as "Necessary With Substantive Public Interest" are required to be readopted. At this time, four rules for the Licensing of Adult Care Homes of Seven or More Beds and three rules for the Licensing of Family Care Homes are being proposed for readoption.

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 the following rule-making actions:

10A NCAC 13F Licensing of Adult Care Homes of Seven or More Beds

10A NCAC 13F .0203 Persons Not Eligible for New Adult Care Home Licenses  
(Readopt as a Repeal)  
10A NCAC 13F .0207 Change of Licensee (Readopt)  
10A NCAC 13F .0214 Suspension of Admissions (Readopt as a Repeal)  
10A NCAC 13F .1206 ~~Advertising~~ Marketing (Readopt)

10A NCAC 13G Licensing of Family Care Homes

10A NCAC 13G .0207 Change of Licensee (Readopt)  
10A NCAC 13G .0214 Suspension of Admissions (Readopt as a Repeal)  
10A NCAC 13G .1207 ~~Advertising~~ Marketing (Readopt)

In accordance with G.S. 150B-21.3A(d)(2), a fiscal analysis was prepared for rules with substantive change. Approval of the fiscal analysis for these rules was obtained from the Office of State Budget and Management on April 29, 2019 in accordance with G.S. 150B-21.4. A fiscal analysis is not required for rules repealed through readoption in accordance with G.S. 150B-21.4.

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

LOCATION: 809 Ruggles Drive, Edgerton Building, Raleigh, NC 27603  
MAILING ADDRESS: 809 Ruggles Drive, 2701 Mail Service Center, Raleigh, NC 27699-2701  
www.ncdhhs.gov/dhsr • TEL: 919-855-3750 • FAX: 919-733-2757

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

The proposed rule text is attached to this memo. The rules were published in today's June 17, 2019 edition of the N.C. Register which can be found at the Office of Administrative Hearings web site at <https://www.oah.nc.gov/documents/nc-register>.

A public hearing is scheduled for August 7, 2019 at 9:00 a.m. in Room 104, Brown Building, 801 Biggs Drive, Raleigh, NC 27603. The building is located in the Dorothea Dix Park. Ms. Nadine Pfeiffer, DHSR Rule-Review Manager, is accepting public comments on these rules and the fiscal analysis from June 17, 2019 – August 16, 2019. Comments will also be accepted in person at the public hearing. The proposed effective date of these rules is January 1, 2020.

A copy of the proposed rules, fiscal analysis, and instructions for submitting comment can be found at the Division of Health Service Regulation web site at <https://www2.ncdhhs.gov/dhsr/ruleactions.html>.

Should you have questions related to this memorandum or the proposed rule and fiscal note, please feel free to contact the Adult Care Licensure Section at (919) 855-3765.

#### Enclosures

cc: Mark Payne, Director, Health Service Regulation  
Emery Milliken, Deputy Director, DHSR  
Joel Johnson, Assistant General Counsel, DHHS  
Megan Lamphere, Chief, Adult Care Licensure Section  
Doug Barrick, Adult Care Licensure Section  
Tichina Hamer, Adult Care Licensure Section