

10A NCAC 13F .0204 is proposed for amendment as follows:

**10A NCAC 13F .0204    APPLYING FOR A LICENSE TO OPERATE A FACILITY NOT CURRENTLY LICENSED**

(a) Prior to submission of a license application, all Certificate of Need requirements shall be met according to G.S. 131E, Article 9.

(b) In applying for a license to operate an adult care home to be constructed or ~~renovated~~ renovated, or in an existing building that is not currently licensed, the applicant shall submit the following to the Division of Health Service Regulation:

- (1) the Initial License Application ~~which that~~ that is available ~~on the internet website, online at <http://facility-services.state.nc.us/gepage.htm>~~ <https://info.ncdhhs.gov/dhsr/acls/pdf/fcchgapp.pdf> at no cost and includes the following: or the Division of Health Service Regulation, Adult Care Licensure Section, 2708 Mail Service Center, Raleigh, NC 27699-2708;
  - (A) contact person, facility site and mailing addresses, and administrator;
  - (B) operation disclosure including names and contact information of the licensee, management company, and building owner;
  - (C) ownership disclosure including names and contact information of owners, principals, affiliates, shareholders, and members; and
  - (D) bed capacity including that of any special care unit for Alzheimer's and Related Disorders;
- (2) plans and specifications as required in Section .0300 of this Subchapter and a construction review fee according to ~~G.S. 131E-267;~~ G.S. 131E-267 to be calculated and invoiced by the DHSR Construction Section;
- (3) an approved fire and building safety inspection report from the local fire marshal to be submitted upon completion of construction or renovation;
- (4) an approved sanitation report or a copy of the permit to begin operation from the sanitation division of the county health department to be submitted upon completion of construction or renovation;
- (5) a nonrefundable license fee as required by ~~G.S. 131D-2(b)(1);~~ G.S. 131D-2.5; and
- (6) a certificate of occupancy or certification of compliance from the local building official to be submitted upon completion of construction or renovation.

Note: Rule .0207 of this Section applies to obtaining a license to operate a currently licensed facility.

(c) ~~A pre-licensing survey shall be made by program consultants of the Division of Health Service Regulation and an adult home specialist of the county department of social services.~~ Issuance of an adult care home license shall be based on the following:

- (1) successful completion and approval of Subparagraphs (b)(1) through (b)(6) of this Rule;
- (2) the Division of Health Service Regulation's Construction Section's recommendation of licensure based on compliance with rules in Section .0300 of this Subchapter;

- 1       (3)     a compliance history review of the facility and its principals and affiliates according to G.S. 131D-  
 2       2.4;  
 3       (4)     approval by the Adult Care Licensure Section of the facility's operational policies and procedures  
 4       based on compliance with the rules of this Subchapter; and  
 5       (5)     the facility's demonstration of compliance with Adult Care Home statutes and rules of this  
 6       Subchapter as determined by a pre-licensing survey of the facility by the Adult Care Licensure  
 7       Section.

8     (d) ~~The Division of Health Service Regulation shall provide to the applicant written notification of the decision to~~  
 9     ~~license or not to license the adult care home. The Adult Care Licensure Section shall notify in writing the applicant~~  
 10    ~~licensee and the county department of social services of the decision to license or not to license the adult care home~~  
 11    ~~based on compliance with adult care home statutes and the rules of this Subchapter within 14 days from the decision~~  
 12    ~~to license or not to license the facility.~~

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 14    History Note:     Authority G.S. 131D-2.4; 131D-2.5; 131D-2.16; 143B-165;

15                     Readopted Eff. October 31, 1977;

16                     Amended Eff. April 1, 1984;

17                     Temporary Amendment Eff. September 1, 2003;

18                     Amended Eff. June 1, 2004;

19                     Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,  
 20                     ~~2018.~~ 2018;

21                     Amended Eff. April 1, 2020.