

10A NCAC 13G .0202 is proposed for readoption with substantive changes as follows:

### **10A NCAC 13G .0202 THE LICENSE**

(a) Except as otherwise provided in ~~Rule .0203 of this Subchapter, G.S. 131D-2.4,~~ the Department of Health and Human Services shall issue a family care home license to any person who submits ~~an application on the forms provided by the Department with a non-refundable license fee as required by G.S. 131D-2(b)(1)~~ the application material according to Rule .0204 of this Section and the Department determines that the applicant complies with the provisions of all ~~applicable~~ State ~~family care~~ adult care home licensure statutes and ~~rules, rules of this Subchapter.~~ All applications for a new license shall disclose the names of individuals who are co-owners, partners, or shareholders holding an ownership or controlling interest of five percent or more of the applicant entity.

(b) The license shall be conspicuously posted in a public place in the home.

~~(c) The license shall be in effect for 12 months from the date of issuance unless revoked for cause, voluntarily or involuntarily terminated, or changed to provisional licensure status.~~

~~(d) A provisional license may be issued in accordance with G.S. 131D-2(b).~~

~~(e)(c)~~ When a provisional license is ~~issued,~~ issued according to G.S. 131D-2.7, the administrator shall post the provisional license and a copy of the notice from the Division of Health Service Regulation identifying the reasons for it, conspicuously in a public place in the home in place of the full license.

~~(f)(d)~~ The license is not transferable or assignable.

~~(g)(e)~~ A family care home shall be licensed only as a family care home and not for any other level of care or licensable entity or service. The license shall be terminated when the home is licensed to provide a higher level of care or a combination of a higher level of care and family care home level of care.

*History Note: Authority G.S. 131D-2.4; 131D-2.7; 131D-2.16; 131D-4.5; 143B-165;*  
*Eff. January 1, 1977;*  
*Readopted Eff. October 31, 1977;*  
*Amended Eff. April 1, 1984;*  
*Temporary Amendment Eff. January 1, 1998;*  
*Amended Eff. April 1, 1999;*  
*Temporary Amendment Eff. December 1, 1999;*  
*Amended Eff. July 1, 2000;*  
*Temporary Amendment Eff. July 1, 2004;*  
*Amended Eff. July 1, 2005; 2005;*  
*Readopted Eff. April 1, 2020.*