

10A NCAC 13G .0204 is proposed for readoption with substantive changes as follows:

10A NCAC 13G .0204 APPLYING FOR A LICENSE TO OPERATE A HOME NOT CURRENTLY LICENSED

(a) An application for a license to operate a family care home for adults in an existing building where no alterations are necessary as determined by the Construction Section of the Division of Health Service Regulation or a family care home which that is to be constructed, added ~~to~~ to, or renovated shall be made at the county department of social services. services in the county where the licensed family care home will be located.

~~(b) If during the study of the administrator and the home, it does not appear that the qualifications of the administrator or requirements for the home can be met, the county department of social services shall so inform the applicant, indicating in writing the reason and give the applicant an opportunity to withdraw the application. Upon the applicant's request, the application shall be completed and submitted to the Division of Health Service Regulation for consideration.~~

~~(c)~~ (b) The applicant shall submit the following ~~forms and reports through~~ material to the county department of social services for submission to the Division of Health Service Regulation. Regulation within ten business days of receipt by the county department of social services:

- (1) the Initial Licensure ~~Application;~~ Application that is available online at <https://info.ncdhhs.gov/dhsr/acls/pdf/acchgapp.pdf> at no cost and includes the following:
 - (A) contact person, facility site and mailing addresses, and administrator;
 - (B) operation disclosure including names and contact information of 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;
- (2) an approval letter from the local zoning jurisdiction for the proposed location;
- (3) a photograph of each side of the existing structure and at least one of each of the interior spaces if an existing structure;
- (4) a set of blueprints or a floor plan of each level indicating the following:
 - (A) the layout of all ~~rooms,~~ rooms;
 - (B) the room dimensions (including ~~closets), closets);~~
 - (C) the door widths (exterior, bedroom, ~~bathroom~~ bathroom, and kitchen ~~doors), doors);~~
 - (D) the window sizes and window sill ~~heights,~~ heights;
 - (E) the type of ~~construction,~~ construction;
 - (F) the use of the basement and ~~attic,~~ attic; and
 - (G) the proposed resident bedroom locations including the number of occupants and the bedroom and number (including the ages) of any non-resident who will be residing within the home;

(5) a cover letter ~~or transmittal form~~ prepared by the adult home specialist of the county department of social services ~~identifying~~ stating the following:

(A) the prospective home site address, address;

(B) the name of the contact person (including address, telephone numbers, ~~fax numbers~~); email address); and

(C) the name and address of the applicant (if different from the contact ~~person~~) and the total number and the expected evacuation capability of the residents; ~~person~~); and

(6) ~~a construction review fee according to G.S. 131E-267. a non-refundable license fee as required by G.S. 131D-2.5.~~

~~(d) The Construction Section of the Division of Health Service Regulation shall review the information and notify the applicant and the county department of social services of any required changes that must be made to the building to meet the rules in Section .0300 of this Subchapter along with the North Carolina State Building Code. At the end of the letter there shall be a list of final documentation required from the local jurisdiction that must be submitted upon completion of any required changes to the building or completion of construction.~~

~~(e) Any changes to be made during construction that were not proposed during the initial review shall require the approval of the Construction Section to assure that licensing requirements are maintained.~~

~~(f) Upon receipt of the required final documentation from the local jurisdiction, the Construction Section shall review the information and may either make an on-site visit or approve the home for construction by documentation. If all items are met, the Construction Section shall notify the Adult Care Licensure Section of the Division of Health Service Regulation of its recommendation for licensure.~~

~~(g) Following review of the application, references, all forms and the Construction Section's recommendation for licensure, a pre-licensing visit shall be made by a consultant of the Adult Care Licensure Section. The consultant shall report findings to the Division of Health Service Regulation which shall notify, in writing, the applicant and the county department of social services of the decision to license or not to license the family care home.~~

(c) Issuance of a family 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;

(3) a compliance history review of the facility and its principals and affiliates according to G.S. 131D-2.4;

(4) approval by the Adult Care Licensure Section of the facility's operational policies and procedures based on compliance with the rules of this Subchapter; and

(5) the facility's demonstration of compliance with Adult Care Home statutes and rules of this Subchapter as determined by a pre-licensing survey of the facility by the Adult Care Licensure Section.

1 (d) The Adult Care Licensure Section shall notify in writing the applicant licensee and the county department of social
2 services of the decision to license or not to license the adult care home based on compliance with adult care home
3 statutes and the rules of this Subchapter within 14 days from the decision to license or not to license the facility.
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5 *History Note: Authority G.S. 131D-2.4; 131D-2.5; 131D-2.16; 143B-165;*
6 *Eff. January 1, 1977;*
7 *Readopted Eff. October 31, 1977;*
8 *Amended Eff. July 1, 1990; April 1, 1987; April 1, 1984;*
9 *ARRC Objection Lodged November 14, 1990;*
10 *Amended Eff. May 1, 1991;*
11 *Temporary Amendment Eff. September 1, 2003;*
12 *Amended Eff. July 1, 2005; July 1, ~~2004~~; 2004;*
13 *Readopted Eff. April 1, 2020.*