

10A NCAC 13G .0207 is readopted with changes as published in 33:24 NCR 2356-2358 as follows:

10A NCAC 13G .0207 CHANGE OF LICENSEE

~~When a licensee wishes to sell or lease the family care home business, the following procedure is required:~~

- ~~(1) The licensee shall notify the county department of social services that a change is desired. When there is a plan for a change of licensee and another person applies to operate the home immediately, the licensee shall notify the county department and the residents or their responsible persons. The county department shall talk with the residents, giving them the opportunity to make other plans if they so desire.~~
- ~~(2) The county department of social services shall submit all forms and reports specified in Rule .0204 (b) of this Subchapter to the Division of Health Service Regulation.~~
- ~~(3) The Division of Health Service Regulation shall review the records of the facility and may visit the home.~~
- ~~(4) The licensee and prospective licensee shall be advised by the Division of Health Service Regulation of any changes which must be made to the building before licensing to a new licensee can be recommended.~~
- ~~(5) Frame or brick veneer buildings over one story in height with resident services and accommodations on the second floor shall not be considered for re-licensure.~~

Prior to the sale of a family care home business, the current and prospective licensee shall meet the requirements of this Rule.

- (1) The current licensee shall provide written notification of a planned change of licensee to the Division of Health Service Regulation, the county department of social services, and the residents or their responsible persons at least 30 days prior to the date of the planned change of licensee.
- (2) The prospective licensee shall submit the following license application material to the Division of Health Service Regulation:
 - (a) the Change Licensure Application for Family Care Home (2 to 6 Beds) that is available on the internet website, [www2.ncdhhs.gov/dhsr/acls/pdf/fchgapp.pdf]
<https://info.ncdhhs.gov/dhsr/acls/pdf/fchgapp.pdf> at no cost and includes the following:
 - (i) facility, administrator and building owner information;
 - (ii) operation disclosure including new licensee information and management company, if any; and
 - (iii) ownership disclosure including new owners, principles, affiliates, shareholders, and members;
 - (b) a fire and building safety inspection report from the local fire marshal dated within the past 12 months;
 - (c) a sanitation report from the sanitation division of the county health department dated within the past 12 months; and

1 (d) a nonrefundable license fee as required by G.S. 131D-2.5.

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3 *History Note:* *Authority G.S. 131D-2.4; 131D-2.16; 143B-165;*
4 *Eff. January 1, 1977;*
5 *Readopted Eff. October 31, 1977;*
6 *Amended Eff. July 1, 1990; April 1, 1984;*
7 *Temporary Amendment Eff. September 1, 2003;*
8 *Amended Eff. June 1, ~~2004~~ 2004;*
9 *Readopted Eff. January 1, 2020.*