

10A NCAC 13F .0208 RENEWAL OF LICENSE

(a) The licensee shall file a license renewal application annually on a calendar year basis on the forms provided by the Department at no cost with a nonrefundable annual license fee according to G.S. 131D-2.5. The renewal application form includes the following:

- (1) contact person, facility site and mailing address, and administrator;
- (2) operation disclosure including names and contact information of the licensee, management company, and building owner;
- (3) ownership disclosure including names and contact information of owners, principals, affiliates, shareholders, and members holding an ownership or controlling interest of five percent or more of the applicant entity;
- (4) bed capacity including that of any special care unit for Alzheimer's and Related Disorders; and
- (5) population and census data.

(b) In determining whether to renew a license under G.S. 131D-2.4, the Department shall take into consideration at least the following:

- (1) the compliance history of the applicant facility with the provisions of all State adult care home licensure statutes and rules of this Subchapter;
- (2) the compliance history of the owners, principals, and affiliates of the applicant facility in operating other adult care homes in the State;
- (3) the extent to which the conduct of the licensee, including owners, principals, affiliates, and persons and those with indirect control as defined in Rule .0201 of this Section, is likely to affect the quality of care at the applicant facility; and
- (4) the hardship on residents of the applicant facility if the license is not renewed.

(c) When violations of licensure rules or statutes are documented by the Department and have not been corrected by the facility prior to license expiration, the Department shall either approve a continuation or extension of a plan of correction, issue a provisional license, or deny the license.

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

Eff. January 1, 1977;

Readopted Eff. October 31, 1977;

Temporary Amendment Eff. December 1, 1999;

Amended Eff. July 1, 2000;

Temporary Amendment Eff. July 1, 2003;

Amended Eff. June 1, 2004;

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

Amended Eff. June 1, 2020.