

1 10A NCAC 13F .0204 is amended with changes as published in 34:06 NCR 481-485 as follows:

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3 **10A NCAC 13F .0204 APPLYING FOR A LICENSE TO OPERATE A FACILITY NOT CURRENTLY**  
4 **LICENSED**

5 (a) Prior to submission of a license application, all Certificate of Need requirements shall be met according to G.S.  
6 131E, Article 9.

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

10 (1) the Initial License Application ~~which that~~ is available ~~on the internet website,~~ online at  
11 <http://facility-services.state.nc.us/gepage.htm> <https://info.ncdhhs.gov/dhsr/acls/pdf/fcchgapp.pdf> at  
12 no cost and includes the following: ~~or the Division of Health Service Regulation, Adult Care~~  
13 Licensure Section, 2708 Mail Service Center, Raleigh, NC 27699-2708;

14 (A) contact person, facility site and mailing addresses, and administrator;

15 (B) operation disclosure including names and contact information of the licensee, management  
16 company, and building owner;

17 (C) ownership disclosure including names and contact information of owners, principals,  
18 affiliates, shareholders, and members; and

19 (D) bed capacity including that of any special care unit for Alzheimer's and Related Disorders;

20 (2) plans and specifications as required in Section .0300 of this Subchapter and a construction review  
21 fee according to ~~G.S. 131E-267;~~ G.S. 131E-267 to be calculated and invoiced by the DHSR  
22 Construction Section;

23 (3) an approved fire and building safety inspection report from the local fire marshal to be submitted  
24 upon completion of construction or renovation;

25 (4) an approved sanitation report or a copy of the permit to begin operation from the sanitation division  
26 of the county health department to be submitted upon completion of construction or renovation;

27 (5) a nonrefundable license fee as required by G.S. ~~131D-2(b)(1);~~ G.S. 131D-2.5; 131E-272; and

28 (6) a certificate of occupancy or certification of compliance from the local building official to be  
29 submitted upon completion of construction or renovation.

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

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

34 (1) [successful] completion of and approval [of] in accordance with Subparagraphs (b)(1) through (b)(6)  
35 of this Rule;

36 (2) the Division of Health Service Regulation's Construction Section's recommendation of licensure  
37 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. June 1, 2020.*