

10A NCAC 13F .0208 is amended with changes as published in 34:06 NCR 481-485 as follows:

10A NCAC 13F .0208 RENEWAL OF LICENSE

(a) ~~The license shall be renewed annually; licensee shall file a license renewal application annually on a calendar year basis except as otherwise provided in Rule .0209 of this Subchapter, if the licensee submits an application for renewal on the forms provided by the Department at no cost with a nonrefundable annual license fee according to G.S. 131D-2(b)(1) and the Department determines that the licensee complies with the provisions of all applicable State adult care home licensure statutes and rules. When violations of licensure rules or statutes are documented and have not been corrected prior to expiration of license, the Department shall either approve a continuation or extension of a plan of correction, issue a provisional license, or revoke the license. 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) All applications for license renewal 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) 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 [a related facility, its] the licensee, including owners, principals, [and affiliates] affiliates, and persons and those with indirect control as defined in Rule .0201 of this Subchapter, 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;*

1 *Readopted Eff. October 31, 1977;*

2 *Temporary Amendment Eff. December 1, 1999;*

3 *Amended Eff. July 1, 2000;*

4 *Temporary Amendment Eff. July 1, 2003;*

5 *Amended Eff. June 1, 2004;*

6 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*
7 ~~*2018.*~~ *2018;*

8 *Amended Eff. June 1, 2020.*