

1 10A NCAC 13B .3205 is readopted with changes as published in 34:06 NCR 473-481 as follows:

2

3 **10A NCAC 13B .3205 DISCHARGE OF MINOR OR INCOMPETENT**

4 ~~Any individual~~ Individuals who cannot legally consent to his or her own care shall be discharged ~~only~~ to the custody
5 of parents, legal guardian, person standing in loco parentis, or ~~another competent adult~~ patient representative pursuant
6 to 42 CFR 483.12(a)(1) herein incorporated by reference with subsequent amendments and editions, unless otherwise
7 directed by the parent or ~~guardian~~ guardian, or court of competent jurisdiction. This regulation may be accessed at
8 <https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/CertificationandCompliance/Hospitals> at no
9 cost. If the parent or guardian directs that discharge be made otherwise, ~~he~~ [they] ~~or she~~ shall so state in writing, and
10 the statement shall become a part of the permanent medical record of the patient.

11

12 *History Note: Authority G.S. 131E-79;*
13 *Eff. January 1, ~~1996~~. 1996;*
14 *Readopted Eff. April 1, 2020.*