



# NORTH CAROLINA ASSISTED LIVING ASSOCIATION

DHSR received 11/10/20

## NCALA

3392 Six Forks Road  
Raleigh NC 27609

November 11, 2020

Nadine Pfeiffer  
809 Ruggles Drive  
2701 Mail Service Center  
Raleigh, NC 27699-2701  
Via Email to [DHSR.RulesCoordinator@dhhs.nc.gov](mailto:DHSR.RulesCoordinator@dhhs.nc.gov)

**Re: *Comments of the NC Assisted Living Association to Proposed Permanent Infection Control Rules Applicable to Licensed Adult Care Homes and Family Care Homes***

Dear Ms. Pfeiffer:

I am writing on behalf of the NC Assisted Living Association (“NCALA”) to offer comments on rules pending for public comment before the Medical Care Commission, specifically 10A N.C. Admin. Code 13F, sections .1801 - .1802 and 10A N.C. Admin. Code 13G, sections .1701 - .1702 (“the rules”). These rules, taken together, would impose permanent Infection Control procedures on North Carolina adult care homes and family care homes. NCALA represents both adult care homes and family care homes.

When the Rules were first proposed back in early October of 2020 during the COVID pandemic (“the pandemic”), NCALA worked with the Department to help fashion and implement the Rules as temporary rules during the COVID public health emergency. In addition, NCALA supported adoption of the rules as *temporary* rules. However, because of the nature of the pandemic, the rules were developed quickly and only as temporary rules and NCALA does not support their adoption as permanent rules because more time and input is required to develop appropriate infection control rules that will govern affected providers both during public health emergencies and during non-emergency periods of operation.

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To be clear, NCALA supports the development and implementation of permanent rules governing infection control policies and procedures, programs, and reporting obligations in adult care homes and family care homes. However, NCALA does not support adoption of the current temporary rules as permanent rules whose application would extend beyond the current pandemic.

NCALA believes that permanent infection control rules applicable to adult care homes and family care homes should be developed outside the context of a public health emergency, with the full participation of all affected stakeholders, when all affected parties have more time to offer input into and have discussions about the substance of such rules. NCALA encourages the development of such permanent rules as quickly as possible, but also believes that sufficient time must be dedicated to the development of such important rules and, as noted, with the thoughtful participation of all affected stakeholders.

NCALA looks forward to participating fully in the development of appropriate permanent infection control rules. Please let me know if I can provide additional information regarding NCALA's position on the Rules at this time. We appreciate the opportunity to offer these comments.

Sincerely,

Frances Messer

President and CEO

NC Assisted Living Association