



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

ROY COOPER • Governor

MANDY COHEN, MD, MPH • Secretary

MARK PAYNE • Director, Division of Health Service Regulation

MEMORANDUM

DATE: June 15, 2021

TO: Interested Parties

FROM: Nadine Pfeiffer, Rule Review Manager *NP*

RE: Proposed Readoption and Amendment of Licensing of Adult Care Homes of Seven or More Beds and Licensing of Family Care Homes Rules
10A NCAC 13F and 10A NCAC 13G

GS 150B-21.2 requires a rule-making body to notify certain individuals of its intent to adopt a rule. It also requires notification of the date, time and location of the public hearing on the rule and any fiscal analysis that has been prepared in connection with the proposed rule. As a result of the periodic review of the rules in Subchapters 10A NCAC 13F and 10A NCAC 13G, 97 rules determined as “Necessary With Substantive Public Interest” are required to be readopted. At this time, two rules for the Licensing of Adult Care Homes of Seven or More Beds are being proposed for readoption and one rule is proposed for amendment. In addition, two rules for the Licensing of Family Care Homes are being proposed for readoption.

The North Carolina Medical Care Commission has submitted form OAH 0300 to the Codifier of Rules, Office of Administrative Hearings, indicating their intent to proceed with the following rule-making actions:

10A NCAC 13F Licensing of Adult Care Homes of Seven or More Beds

10A NCAC 13F .0405 Qualifications of Food Service Supervisor (Readopt)
10A NCAC 13F .0509 Food Service Orientation (Amend)
10A NCAC 13F .1213 Availability of Corrective Action and Survey Reports (Readopt)

10A NCAC 13G Licensing of Family Care Homes

10A NCAC 13G .0509 Food Service Orientation (Readopt)
10A NCAC 13G .1214 Availability of Corrective Action and Survey Reports (Readopt)

In accordance with G.S. 150B-21.3A(d)(2), a fiscal analysis was prepared for rules with substantive change. Approval of the fiscal analysis for these rules was obtained from the Office of State Budget and Management on March 12, 2021 in accordance with G.S. 150B-21.4.

NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF HEALTH SERVICE REGULATION

OFFICE OF THE DIRECTOR

LOCATION: 809 Ruggles Drive, Edgerton Building, Raleigh, NC 27603
MAILING ADDRESS: 809 Ruggles Drive, 2701 Mail Service Center, Raleigh, NC 27699-2701
<https://info.ncdhhs.gov/dhsr/> • TEL: 919-855-3750 • FAX: 919-733-2757

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

The proposed rule text is attached to this memo. The rules were published in today's June 15, 2021 edition of the N.C. Register which can be found at the Office of Administrative Hearings web site at <https://www.oah.nc.gov/documents/nc-register>.

A public hearing is scheduled for August 4, 2021 at 10:00 a.m. by teleconference. If you would like to participate in the public hearing, please use the following conference telephone number: 1-877-848-7030, and access code: 5133201. Ms. Nadine Pfeiffer, DHSR Rule-Review Manager, is accepting public comments on these rules and the fiscal analysis from June 15, 2021 through August 16, 2021. Comments will also be accepted at the public hearing via teleconference. The proposed effective date of these rules is January 1, 2022.

A copy of the proposed rules, fiscal analysis, and instructions for submitting comment can be found at the Division of Health Service Regulation web site at <https://info.ncdhhs.gov/dhsr/ruleactions.html>.

Please feel free to contact the Adult Care Licensure Section at (919) 855-3765, should you have questions related to this memorandum or the proposed rule and fiscal note.

Enclosures

cc: John Meier, IV, MD, Chair, N.C. Medical Care Commission
Mark Payne, Director, Health Service Regulation
Emery Milliken, Deputy Director, DHSR
Joel Johnson, Assistant General Counsel, DHHS
Megan Lamphere, Chief, Adult Care Licensure Section
Tichina Hamer, Adult Care Licensure Section