10A NCAC 14C .2401 is proposed for readoption with substantive changes as follows:

SECTION .2400 – CRITERIA AND STANDARDS FOR INTERMEDIATE CARE FACILITIES FOR INDIVIDUALS WITH INTELLECTUAL DISABILITIES

10A NCAC 14C .2401  DEFINITIONS
The definitions in this Rule shall apply to all rules in this Section:

(1) "Intermediate care facility for the mentally retarded (ICF/MR)" shall have the same meaning as defined in G.S. 131E-176(14a).

(2) "Active treatment" means:
   (a) regular participation in professionally developed and supervised activities, experiences, or therapies in accordance with an individual plan of care;
   (b) an individual plan of care which is a written plan that is based on individual choice and sets forth measurable goals or behaviorally stated objectives and prescribes an integrated program of individually designed activities, experiences or therapies necessary to achieve such goals or objectives;
   (c) an interdisciplinary professional evaluation consisting of complete medical, social, or psychological diagnosis and an evaluation of the individual's need for the facility's care, prior to admission but not to exceed three months before admission to the facility or, in the case of individuals who make application while in such facility, before requesting payment under the plan;
   (d) re-evaluation medically, socially, and psychologically, at least annually by the staff involved in carrying out the resident's individual plan of care, including review of the individual's progress toward meeting the plan of care, assessment of continuing need for facility care, and consideration of alternate methods of care; and
   (e) an individual plan (as part of the individual's total plan of care) developed prior to discharge that is based on individual choice by a qualified developmental disabilities professional and other appropriate professionals, which includes the present residence, specifying the type of care and services that will be needed to enable the individual to function in a different environment and also includes provisions for protective supervision.

(3) "Qualified Developmental Disabilities Professional" means a staff person in an ICF/MR facility designated to be responsible for supervising the implementation of each resident's individual plan of care, integrating the various aspects of the facility's program, recording each resident's progress and initiating periodic review of each individual plan of care. A Qualified Developmental Disabilities Professional shall meet the minimum qualifications for employment as defined in the 42 CFR 483.430 which is incorporated by reference including all subsequent amendments.
(4) "Catchment area" means the geographic part of the State served by a specific area authority ("Area authority" means the Mental Health, Developmental Disabilities, and Substance Abuse Authority.)

The following definitions shall apply to all rules in this Section:

(1) "Catchment area" means as defined in G.S. 122C-3(4).

(2) "Intermediate care facility for individuals with intellectual disabilities" means as defined in G.S. 131E-176(14a).

History Note: Authority G.S. 131E-177(1), (5); 131E-177(1); 131E-177(5); 131E-183;
Eff. December 1, 1981;
Amended Eff. November 1, 1996; September 1, 1989, 1989;