

1 10A NCAC 14C .2803 is readopted with changes as published in 37:02 NCR 170-174 as follows:

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3 **10A NCAC 14C .2803 PERFORMANCE STANDARDS**

4 ~~(a) An applicant proposing to establish new rehabilitation beds shall not be approved unless the average occupancy,~~
5 ~~over the nine months immediately preceding the submittal of the application, of the total number of licensed~~
6 ~~rehabilitation beds within the facility in which the new beds are to be operated was at least 80 percent.~~

7 ~~(b) An applicant proposing to establish new rehabilitation beds shall not be approved unless occupancy is projected~~
8 ~~to be 80 percent for the total number of rehabilitation beds to be operated in the facility no later than two years~~
9 ~~following completion of the proposed project.~~

10 An applicant proposing to develop [rehab] rehabilitation beds pursuant to a need determination in the annual State
11 Medical Facilities Plan in effect as of the first day of the review period shall:

12 (1) provide projected utilization of all existing, approved, and proposed [rehab] rehabilitation beds on
13 the hospital license during each of the first three full fiscal years of operation following completion
14 of the project;

15 (2) [document] project that the occupancy rate for all existing, approved, and proposed [rehab]
16 rehabilitation beds on the hospital license shall be at least 70 percent during the third full fiscal year
17 of operation following completion of the project; and

18 (3) provide the assumptions and methodology used to provide the projected utilization and occupancy
19 rate required in Items (1) and (2) of this Rule.

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21 *History Note: Authority G.S. 131E-177; ~~131E-183~~; 131E-183(b);*
22 *Eff. November 1, ~~1996~~; 1996;*
23 *Readopted Eff. January 1, 2023.*