

G.S. 150B-21.3A Report for 10A NCAC 05, AGING - GENERAL PROVISIONS

Agency - DHHS/Division of Aging

Comment Period -10/28/24 to 12/27/24

Date Submitted to APO - March 28, 2025

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
SUBCHAPTER 05A - INTRODUCTION	SECTION .0100 – GENERAL PROVISIONS	10A NCAC 05A .0101	DEFINITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.3	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0200 – GOVERNOR'S ADVISORY COUNCIL ON AGING	10A NCAC 05A .0201	EXECUTIVE COMMITTEE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05A .0202	ORIENTATION AND TRAINING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
SUBCHAPTER 05B - ADOPTION BY REFERENCE	SECTION .0100 - OLDER AMERICANS PROGRAMS REGULATIONS	10A NCAC 05B .0101	TITLE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 05B .0102	COPIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 05B .0103	APPLICABLE DOL REGULATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	SECTION .0200 - ADMINISTRATION OF GRANTS	10A NCAC 05B .0201	TITLE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 80, 45 CFR 81, 45 CFR 84, 45 CFR 90, 5 CFR 900	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05B .0202	COPIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
SUBCHAPTER 05C – ADMINISTRATIVE PROVISIONS	SECTION .0200 – DIVISION OF AGING	10A NCAC 05C .0202	PUBLIC INFORMATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 05C .0203	DESIGNATION OF PLANNING AND SERVICE AREAS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.13	Yes	Necessary	One or more comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05C .0204	DESIGNATION OF AGENCIES ON AGING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.5	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05C .0205	ALLOCATION OF FUNDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.9(c)(2)	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05C .0206	APPLICATIONS FOR SUPPORT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 05C .0207	DIVISION OF AGING REVIEW OF APPLICATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 05C .0208	ADMINISTRATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.9(a)	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05C .0209	STANDARDS OF PERSONNEL ADMINISTRATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 05C .0210	AFFIRMATIVE ACTION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	5 CFR 900	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		10A NCAC 05C .0212	CONFIDENTIALITY AND DISCLOSURE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 05C .0213	CODE OF CONDUCT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 05C .0214	504 HANDICAPPED PROVISIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 05C .0215	DUTIES REGARDING DISCRIMINATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 05C .0216	EMPLOYMENT DISCRIMINATION: PROCEDURES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	SECTION .0300 – AREA AGENCIES ON AGING	10A NCAC 05C .0301	AREA PLAN CONTENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.65	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05C .0302	CONTRACTING FOR ADMINISTRATIVE FUNCTIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 05C .0303	DIRECT SERVICE DELIVERY BY AN AAA	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.65(b)(7)	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05C .0304	PUBLIC HEARINGS ON AAA PLANS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.13	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05C .0305	AREA PLAN SUBMISSION: REVIEW AND APPROVAL	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.13	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05C .0306	STAFFING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0400 - ALLOCATIONS	10A NCAC 05C .0403	RESPITE CARE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05C .0404	INTRASTATE FUNDING FORMULA	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.9(c)(2)	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
SUBCHAPTER 05D - GRANTS ADMINISTRATION	SECTION .0100 - GRANT/CONTRACT IMPLEMENTATION	10A NCAC 05D .0101	GRANT AWARD NOTIFICATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.9(c)(2)	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05D .0102	CONTRACTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05D .0103	BUDGET REVISIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05D .0104	PROGRAM AMENDMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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	SECTION .0200 - OBTAINING FUNDS	10A NCAC 05D .0201	REQUESTS FOR FUNDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05D .0202	MATCHING FUNDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0300 - EXPENDING PROJECT FUNDS	10A NCAC 05D .0301	GENERAL POLICIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05D .0303	VOLUNTEER IN-KIND	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0400 - REPORTING	10A NCAC 05D .0401	REQUIRED REPORTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05D .0402	FREQUENCY OF REPORTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0500 - MONITORING/ASSESSMENT/EVALUATION	10A NCAC 05D .0501	PURPOSE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.5(a)	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05D .0502	SCHEDULE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.5(a)	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0600 - GENERAL REQUIREMENTS	10A NCAC 05D .0601	AUDITS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.5(a)	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05D .0602	SUSPENSION/TERMINATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.5(a)	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
SUBCHAPTER 05E - DIVISION HEARINGS	SECTION .0100 - GENERAL	10A NCAC 05E .0101	DIVISION HEARINGS IN GENERAL	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.11(a)(1)	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05E .0102	DEFINITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.11(a)(1)	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05E .0103	COMMENCEMENT OF A DIVISION HEARING: PETITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.11(a)(1)	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05E .0104	NOTICE OF FILING: NOTICE OF HEARING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.11(a)(1)	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05E .0105	ANSWERS TO THE PETITION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.11(a)(1)	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05E .0106	DOCUMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.11(a)(1)	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05E .0107	VENUE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code

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Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		10A NCAC 05E .0108	DISCOVERY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 05E .0109	EVIDENCE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 05E .0110	TESTIMONY: WITNESSES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 05E .0111	SUBPOENAS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 05E .0112	PREHEARING STATEMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 05E .0113	PREHEARING: SETTLEMENT CONFERENCE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 05E .0114	FAILURE TO APPEAR AT HEARING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 05E .0115	MISCONDUCT AT HEARING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 05E .0116	SANCTIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 05E .0117	MOTIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 05E .0118	CONTINUANCES AND EXTENSIONS OF TIME	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 05E .0119	TIME	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 05E .0120	AUTHORITY OF PRESIDING OFFICER	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 05E .0121	FINAL DECISION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.11(a)(1)	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05E .0122	APPEALS TO COMMISSIONER ON AGING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0200 - BIDDING AND CONTRACTING	10A NCAC 05E .0201	BIDDING AND CONTRACTING PROCEDURES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
SUBCHAPTER 05F -PLANNING AND SERVICE AREA AND AREA AGENCY DESIGNATION	SECTION .0100 - DIVISION OF AGING DESIGNATION AUTHORITY	10A NCAC 05F .0101	PLANNING AND SERVICE AREA AND AREA AGENCIES ON AGING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.13	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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		10A NCAC 05F .0102	WITHDRAWAL OF AREA ON AGING DESIGNATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.13	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0200 - PLANNING AND SERVICE AREA AND AREA AGENCY ON AGING REQUIREMENTS	10A NCAC 05F .0201	PLANNING AND SERVICE AREA REQUIREMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.13	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05F .0202	AREA AGENCY ON AGING REQUIREMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.19	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0300 - APPLICATION FOR PLANNING SERVICE AREA DESIGNATION AND PRE-HEARING REVIEW	10A NCAC 05F .0301	APPLICATION DUE DATE FOR PLANNING AND SERVICE AREA DESIGNATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.13	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05F .0302	APPLICATION CONTENT FOR PLANNING AND SERVICE AREA DESIGNATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.13	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05F .0303	PRE-HEARING REVIEW ON PLANNING AND SERVICE AREA DESIGNATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.13	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0400 - DIVISION OF AGING PUBLIC HEARINGS ON PLANNING AND SERVICE AREA DESIGNATION	10A NCAC 05F .0401	SCHEDULING OF PUBLIC HEARINGS ON PLANNING/SERVICE AREA DESIGNATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.13	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05F .0402	PREHEARING REVIEW COMMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.13	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05F .0403	NOTIFICATION OF DECISION ON PLANNING AND SERVICE AREA DESIGNATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.13	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05F .0404	PLANNING/SERVICE AREA DESIGNATION INITIATED BY THE DIVISION OF AGING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.13	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0500 - APPLICATION FOR AREA AGENCY ON AGING DESIGNATION AND PRE-HEARING REVIEW	10A NCAC 05F .0501	AREA AGENCY ON AGING DESIGNATION CRITERIA	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.19	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05F .0502	APPLICATION CONTENT FOR AREA AGENCY ON AGING DESIGNATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.19	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05F .0503	PRE-HEARING REVIEW ON AREA AGENCY ON AGING DESIGNATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.19	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

G.S. 150B-21.3A Report for 10A NCAC 05, AGING - GENERAL PROVISIONS												
Agency - DHHS/Division of Aging												
Comment Period -10/28/24 to 12/27/24												
Date Submitted to APO - March 28, 2025												
Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
	SECTION .0600 - DIVISION OF AGING PUBLIC HEARINGS ON AREA AGENCY ON AGING DESIGNATION	10A NCAC 05F .0601	SCHEDULING OF PUBLIC HEARINGS ON AREA AGENCY ON AGING DESIGNATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.19	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05F .0602	PREHEARING REVIEW COMMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.19	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05F .0603	NOTIFICATION OF DECISION ON AREA AGENCY ON AGING DESIGNATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.19	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0700 - WITHHOLDING AREA FUNDS OR WITHDRAWING AREA AGENCY ON AGING DESIGNATION	10A NCAC 05F .0701	NOTIFICATION OF IMPENDING ACTION TO WITHHOLD AREA FUNDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.19	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05F .0702	PUBLIC HEARING/WITHHOLDING AREA FUNDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.19	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05F .0703	DECISION ON WITHHOLDING AREA FUNDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.19	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05F .0704	NOTICE/IMPENDING ACTION/WITHDRAW AREA AGENCY ON AGING DESIGNATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.19	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05F .0705	PUBLIC HEARING/WITHDRAWAL OF AREA AGENCY ON AGING DESIGNATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.19	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05F .0706	NOTIFICATION OF DECISION TO WITHDRAW AREA AGENCY DESIGNATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.19	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0800 - APPEAL OF DIVISION OF AGING DECISION	10A NCAC 05F .0801	CONTESTED CASE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.19	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05F .0802	APPEAL TO COMMISSIONER ON AGING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.19; 45 CFR 1321.23	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05F .0803	JUDICIAL REVIEW	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.19	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
SUBCHAPTER 05G - HOME AND COMMUNITY CARE BLOCK GRANT FOR OLDER ADULTS	SECTION .0100 - ALLOCATION OF BLOCK GRANT FUNDS	10A NCAC 05G .0101	ALLOCATION/BLOCK GRANT FUNDING/AREA AGENCIES ON AGING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0200 - BASIS FOR GRANTING BLOCK GRANT FUNDS TO COUNTIES	10A NCAC 05G .0201	DEFINITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

G.S. 150B-21.3A Report for 10A NCAC 05, AGING - GENERAL PROVISIONS												
Agency - DHHS/Division of Aging												
Comment Period -10/28/24 to 12/27/24												
Date Submitted to APO - March 28, 2025												
Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		10A NCAC 05G .0202	COUNTY FUNDING PLANS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05G .0203	PUBLIC HEARING FOR COUNTY FUNDING PLAN	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0300 - PRIORITY FOR THE RECEIPT OF BLOCK GRANT SERVICES	10A NCAC 05G .0301	DEFINITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05G .0302	CLIENT PRIORITIES FOR RECEIPT OF SERVICES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
SUBCHAPTER 05I – CONSUMER CONTRIBUTIONS	SECTION .0100 – PURPOSE AND DEFINITIONS	10A NCAC 05I .0101	PURPOSE AND DEFINITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0200 – REQUIREMENTS	10A NCAC 05I .0201	SERVICES SUBJECT TO CONSUMER CONTRIBUTIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.9(c)(2)(x); 42 USC 3030c-2	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05I .0202	INITIAL AND ANNUAL REVIEWS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.9(c)(2)(x); 42 USC 3030c-2	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05I .0203	COLLECTION OF CONSUMER CONTRIBUTION REVENUE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.9(c)(2)(x); 42 USC 3030c-2	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05I .0204	TERMINATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.9(c)(2)(x); 42 USC 3030c-2	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05I .0205	DEDUCTING CONSUMER CONTRIBUTION REVENUES FROM MONTHLY SERVICE REIMBURSEMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.9(c)(2)(x); 42 USC 3030c-2	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
SUBCHAPTER 05J - CONFIDENTIALITY OF CLIENT DATA	SECTION .0100 - DEFINITIONS FOR CONFIDENTIALITY OF CLIENT DATA	10A NCAC 05J .0101	DEFINITIONS FOR CONFIDENTIALITY OF CLIENT DATA	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0200 - REQUIREMENTS	10A NCAC 05J .0201	CONFIDENTIALITY OF CLIENT DATA	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05J .0202	INFORMATION FROM OTHER COMMUNITY SERVICE ORGANIZATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05J .0203	DISCLOSURE PURSUANT TO OTHER LAWS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05J .0204	OWNERSHIP OF RECORDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05J .0205	SECURITY OF RECORDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05J .0206	RELEASE OF CLIENT INFORMATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt



G.S. 150B-21.3A Report for 10A NCAC 05, AGING - GENERAL PROVISIONS												
Agency - DHHS/Division of Aging												
Comment Period -10/28/24 to 12/27/24												
Date Submitted to APO - March 28, 2025												
Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAHP Next Steps
		10A NCAC 05J .0207	INFORMED CONSENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05J .0208	CLIENT ACCESS TO RECORDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05J .0209	CONTESTED INFORMATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05J .0210	WITHHOLDING OF INFORMATION FROM THE CLIENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05J .0211	DISCLOSURE OF CLIENT INFORMATION WITHOUT CLIENT CONSENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05J .0212	INFORMATION NEEDS OF SERVICE PROVIDERS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
SUBCHAPTER 05L – ADVOCACY ASSISTANCE	SECTION .0100 – GENERAL PROVISIONS	10A NCAC 05L .0101	GENERAL ADVOCACY RESPONSIBILITIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1321.9	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05L .0102	LONG-TERM CARE OMBUDSMAN PROGRAM	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1324.11	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05L .0103	LEGAL SERVICES PROGRAM	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	45 CFR 1324.301, 45 CFR 1324.303	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
SUBCHAPTER 05M – SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM	SECTION .0100 – GENERAL PROVISIONS	10A NCAC 05M .0101	POLICIES MANUAL	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	20 CFR 641; 42 USC 3056	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 05M .0102	APPLICATION PROCEDURES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015	Necessary	Yes If yes, include the citation to the federal law	20 CFR 641; 42 USC 3056	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt