

**G.S. 150B-21.3A Report for 10A NCAC 13D, RULES FOR THE LICENSING OF NURSING HOMES**

Agency - Medical Care Commission

Comment Period - May 31, 2024 - July 31, 2024

Date Submitted to APO - January 31, 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(d)]	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 13D – RULES FOR THE LICENSING OF NURSING HOMES	SECTION .2000 – GENERAL INFORMATION	10A NCAC 13D .2001	DEFINITIONS	Amended Eff. October 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
	SECTION .2100 - LICENSURE	10A NCAC 13D .2101	APPLICATION REQUIREMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive		Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 13D .2102	ISSUANCE OF LICENSE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive		Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 13D .2103	LENGTH OF LICENSURE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive		Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 13D .2104	REQUIREMENTS FOR LICENSURE RENEWAL OR CHANGES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015		Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 13D .2105	TEMPORARY CHANGE IN BED CAPACITY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive		Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 13D .2106	DENIAL, AMENDMENT, OR REVOCATION OF LICENSE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015		Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 13D .2107	SUSPENSION OF ADMISSIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive		Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 13D .2108	PROCEDURE FOR APPEAL	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive		Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 13D .2109	INSPECTIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive		Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
SECTION .2200 - GENERAL STANDARDS OF ADMINISTRATION	10A NCAC 13D .2201	ADMINISTRATOR	Amended Eff. January 1, 2018		Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
	10A NCAC 13D .2202	ADMISSIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive		Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
	10A NCAC 13D .2203	PATIENTS NOT TO BE ADMITTED	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive		Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
	10A NCAC 13D .2204	RESPIRE CARE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive		Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
	10A NCAC 13D .2205	DISCHARGE OF PATIENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive		Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
	10A NCAC 13D .2206	MEDICAL DIRECTOR	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive		Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
	10A NCAC 13D .2207	PATIENT RIGHTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive		Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
	10A NCAC 13D .2208	SAFETY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive		Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
	10A NCAC 13D .2209	INFECTION CONTROL	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive		Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
	10A NCAC 13D .2210	REPORTING AND INVESTIGATING ABUSE, NEGLECT OR MISAPPROPRIATION	Readopted Eff. July 1, 2016		Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
	10A NCAC 13D .2211	PERSONNEL STANDARDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive		Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
	10A NCAC 13D .2212	QUALITY ASSURANCE COMMITTEE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive		Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
	SECTION .2300 - PATIENT AND RESIDENT CARE AND SERVICES	10A NCAC 13D .2301	PATIENT ASSESSMENT AND PLAN OF CARE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015		Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
10A NCAC 13D .2302		NURSING SERVICES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive		Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
10A NCAC 13D .2303		NURSE STAFFING REQUIREMENTS	Readopted Eff. July 1, 2016		Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
10A NCAC 13D .2304		NURSE AIDES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive		Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
10A NCAC 13D .2305		QUALITY OF CARE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive		Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
10A NCAC 13D .2306		MEDICATION ADMINISTRATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive		Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
10A NCAC 13D .2307		DENTAL CARE AND SERVICES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive		Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt	
10A NCAC 13D .2308	ADULT CARE HOME PERSONNEL REQUIREMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015		Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt		
10A NCAC 13D .2309	CARDIO-PULMONARY RESUSCITATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive		Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt		
SECTION .2400 - MEDICAL RECORDS	10A NCAC 13D .2401	MAINTENANCE OF MEDICAL RECORDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015		Necessary	No		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 13D .2402	PRESERVATION OF MEDICAL RECORDS	Readopted Eff. July 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	<b>SECTION .2500 - PHYSICIAN'S</b>	10A NCAC 13D .2501	AVAILABILITY OF PHYSICIAN'S SERVICES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 13D .2502	PRIVATE PHYSICIAN	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 13D .2503	USE OF NURSE PRACTITIONERS AND PHYSICIAN ASSISTANTS	Readopted Eff. July 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 13D .2504	LABORATORY AND RADIOLOGY SERVICES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 13D .2505	BRAIN INJURY LONG-TERM CARE PHYSICIAN SERVICES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 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
	<b>SECTION .2600 - PHARMACEUTICAL SERVICES</b>	10A NCAC 13D .2601	AVAILABILITY OF PHARMACEUTICAL SERVICES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 13D .2602	PHARMACY PERSONNEL	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 13D .2603	ADMINISTRATIVE RESPONSIBILITIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 13D .2604	DRUG PROCUREMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 13D .2605	DRUG STORAGE AND DISPOSITION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 13D .2606	PHARMACEUTICAL RECORDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 13D .2607	EMERGENCY DRUGS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	<b>SECTION .2700 - DIETARY SERVICES</b>	10A NCAC 13D .2701	PROVISION OF NUTRITION AND DIETETIC SERVICES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 13D .2801	ACTIVITY SERVICES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	<b>SECTION .2800 - ACTIVITIES, RECREATION AND SOCIAL SERVICES</b>	10A NCAC 13D .2802	SOCIAL SERVICES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		<b>SECTION .2900 - SPECIAL REQUIREMENTS</b>	10A NCAC 13D .2901	REPORT OF DEATH	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted
	10A NCAC 13D .2902		PETS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	<b>SECTION .3000 - SPECIALLY DESIGNATED UNITS</b>		10A NCAC 13D .3003	VENTILATOR ASSISTED CARE	Amended Eff. January 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted
		10A NCAC 13D .3004	BRAIN INJURY LONG-TERM CARE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 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 13D .3005	SPECIAL NURSING REQUIREMENTS FOR BRAIN INJURY LONG-TERM CARE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 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 13D .3031	ADDITIONAL REQUIREMENTS FOR SPINAL CORD INJURY PATIENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 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
	<b>SECTION .3100 - DESIGN AND CONSTRUCTION</b>	10A NCAC 13D .3101	GENERAL RULES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 13D .3102	APPLICATION OF PHYSICAL PLANT REQUIREMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 13D .3103	SITE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 13D .3104	PLANS AND SPECIFICATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	<b>SECTION .3200 - FUNCTIONAL REQUIREMENTS</b>	10A NCAC 13D .3201	REQUIRED SPACES	Amended Eff. October 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 13D .3202	FURNISHINGS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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	SECTION .3400 - MECHANICAL: ELECTRICAL: PLUMBING	10A NCAC 13D .3401	HEATING AND AIR CONDITIONING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 13D .3402	EMERGENCY ELECTRICAL SERVICE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 13D .3403	GENERAL ELECTRICAL	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 13D .3404	OTHER	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt