

G.S. 150B-21.3A Report for 10A NCAC 22, MEDICAL ASSISTANCE ELIGIBILITY

Agency - HHS - Division of Health Benefits

Comment Period - January 22, 2025 to March 24, 2025

Date Submitted to APO - Filled in by RRC staff

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)]
SUBCHAPTER 22A –		10A NCAC 22A .0101	SCOPE	Amended Eff. March 1, 2020	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 431.10, 42 C.F.R. Part 434	No	Necessary
SUBCHAPTER 22B – PROVIDER ISSUES	SECTION .0100 - GENERAL	10A NCAC 22B .0101	INSTITUTIONAL HEALTH SERVICES	Readopted Eff. July 1, 2018	Necessary	No		No	Necessary
		10A NCAC 22B .0102	COORDINATION WITH TITLE XVIII	Readopted Eff. July 1, 2018	Necessary	Yes If yes, include the citation to the federal law	Part B of Title XVIII of the Social Security Act, 42 C.F.R. 431.625, 42 CFR 431.107	No	Necessary
		10A NCAC 22B .0103	INSTITUTIONAL STANDARDS	Readopted Eff. July 1, 2018	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 440.10, 42 C.F.R. 440.1, 42 C.F.R. Part 442, 42 C.F.R. 457.990	No	Necessary
		10A NCAC 22B .0104	TIME LIMITATION	Readopted Eff. July 1, 2018	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 447.45	No	Necessary
	SECTION .0200 - MANUALS AND FORMS	10A NCAC 22B .0201	MANUALS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015	Necessary	No		No	Necessary
		10A NCAC 22B .0202	FORMS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015	Necessary	No		No	Necessary
SUBCHAPTER 22E - COOPERATIVE AGREEMENTS		10A NCAC 22E .0102	VOCATIONAL REHABILITATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015	Unnecessary	Select One		No	Unnecessary
		10A NCAC 22E .0103	MENTAL HEALTH, DEVELOP/DISABILITIES/SUBSTANCE ABUSE SVCS	Amended Eff. March 1, 2020	Unnecessary	Select One		No	Unnecessary
SUBCHAPTER 22F - PROGRAM INTEGRITY	SECTION .0100 - GENERAL	10A NCAC 22F .0101	SCOPE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 455.1	No	Necessary
		10A NCAC 22F .0102	ORGANIZATION	Amended Eff. March 1, 2020	Necessary	Yes If yes, include the citation to the federal law	42. C.F.R. Part 455, 42 C.F.R. 431.10	No	Necessary
		10A NCAC 22F .0103	FUNCTIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. Part 455, Subpart A	No	Necessary
		10A NCAC 22F .0104	PREVENTION	Readopted Eff. September 1, 2018	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. Part 455, 42 C.F.R. 431.105, 42 C.F.R. 447.15, 42 C.F.R. 447.45, 42 C.F.R. 440.230, 42 C.F.R. 431.107, 42 C.F.R. 431.954, 42 C.F.R. 431.54	No	Necessary
		10A NCAC 22F .0106	CONFIDENTIALITY	Readopted Eff. July 1, 2018	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. Part 455; 42 C.F.R. 455.21	No	Necessary

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		10A NCAC 22F .0107	RECORD RETENTION	Readopted Eff. July 1, 2018	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. Part 455; 42 C.F.R. 431.107	No	Necessary
	SECTION .0200 - PROVIDER FRAUD AND PHYSICAL ABUSE OF RECIPIENTS	10A NCAC 22F .0202	INVESTIGATION	Readopted Eff. July 1, 2018	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. Part 455, Subpart A	No	Necessary
		10A NCAC 22F .0203	REFERRAL TO LAW ENFORCEMENT AGENCY	Readopted Eff. July 1, 2018	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 455.2, 42 C.F.R. 455.14, 42 C.F.R. 455.15	No	Necessary
	SECTION .0300 - PROVIDER ABUSE	10A NCAC 22F .0301	DEFINITION OF PROGRAM ABUSE BY PROVIDERS	Readopted Eff. June 15, 2020	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 455, 42 C.F.R. 440.230 , 42 C.F.R. Part 440 , 42 C.F.R. 440.260, 42 C.F.R. 455.2, 42 C.F.R. 455.101 7.42 C.F.R. 447.15, 42 C.F.R. 433.312, 42 C.F.R. 433.316, 42 C.F.R. 431.107, 42 C.F.R. 431.954	No	Necessary
		10A NCAC 22F .0302	INVESTIGATION	Readopted Eff. September 1, 2018	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 455, Subpart A; 42 CFR 455.412	No	Necessary
	SECTION .0400 - AGENCY RECONSIDERATION REVIEW	10A NCAC 22F .0402	RECONSIDERATION REVIEW FOR PROGRAM ABUSE	Readopted Eff. July 1, 2018	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. Part 431, Subpart Q; 42 C.F.R. Part 455, Subpart F; 42 C.F.R. Part 456	No	Necessary
	SECTION .0600 - ADMINISTRATIVE SANCTIONS AND RECOUPMENT	10A NCAC 22F .0601	RECOUPMENT	Readopted Eff. July 1, 2018	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. Part 455, Subpart F, 42 C.F.R. Part 456, 42 C.F.R. 431.958, 42 C.F.R. 431.1002, 42 C.F.R. 433.316	No	Necessary
		10A NCAC 22F .0602	ADMINISTRATIVE ACTIONS	Amended Eff. March 1, 2020	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 440.230, 42 C.F.R. 440.260, 42 C.F.R. Part 431, 42 C.F.R. Part 455, 42 C.F.R. 455.23, 42 C.F.R. 1002.3, 42 C.F.R. 1002.212	No	Necessary
		10A NCAC 22F .0603	PROVIDER LOCK-OUT	Readopted Eff. September 1, 2018	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 440.230, 42 C.F.R. 440.260, 42 C.F.R. 431.54, 42 C.F.R. Part 455	No	Necessary
	SECTION .0700 - RECIPIENT FRAUD AND ABUSE	10A NCAC 22F .0701	DEFINITION OF FRAUD AND ABUSE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. Part 455 and 42 C.F.R. Part 456	No	Necessary
		10A NCAC 22F .0702	GENERAL	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. Part 455 and 42 C.F.R. Part 456, 42 C.F.R. 447.45	No	Necessary

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		10A NCAC 22F .0704	RECIPIENT MANAGEMENT LOCK-IN SYSTEM	Readopted Eff. July 1, 2018	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 431.54 42 C.F.R. Part 455 and 42 C.F.R. Part 456	No	Necessary
		10A NCAC 22F .0706	RECOUPMENT OF RECIPIENT OVERPAYMENTS	Amended Eff. March 1, 2020	Unnecessary	Select One		No	Unnecessary
SUBCHAPTER 22G – REIMBURSEMENT PLANS	SECTION .0100 – REIMBURSEMENT FOR NURSING FACILITY SERVICES	10A NCAC 22G .0108	REIMBURSEMENT METHODS FOR STATE-OPERATED FACILITIES	Readopted Eff. July 1, 2018	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 447, Subpart C, 42 C.F.R. 433.316	No	Necessary
		10A NCAC 22G .0109	NURSING HOME PROVIDER ASSESSMENT	Amended Eff. March 1, 2020	Necessary	Yes If yes, include the citation to the federal law	42 CFR Part 433, Subpart B	No	Necessary
		10A NCAC 22G .0110	DEFINITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015	Necessary	No		No	Necessary
	SECTION .0500 – REIMBURSEMENT FOR SERVICES	10A NCAC 22G .0504	HEALTH MAINTENANCE ORGANIZATIONS AND PREPAID HEALTH PLANS	Readopted Eff. July 1, 2018	Unnecessary	Select One		No	Unnecessary
SUBCHAPTER 22H - APPEALS PROCEDURES	SECTION .0100 - BENEFICIARY APPEALS FOR DENIAL	10A NCAC 22H .0101	APPEALS BY MEDICAID BENEFICIARIES	Readopted Eff. July 1, 2018	Unnecessary	Select One		No	Unnecessary
		10A NCAC 22H .0104	PAYMENT PENDING APPEALS	Readopted Eff. July 1, 2018	Unnecessary	Select One		No	Unnecessary
	SECTION .0200 - HEARINGS: TRANSFER AND DISCHARGES FROM NURSING FACILITIES	10A NCAC 22H .0201	DEFINITIONS	Amended Eff. March 1, 2020	Necessary	Yes If yes, include the citation to the federal law	42 CFR 483.15 and 42 CFR 483 Subpart E	No	Necessary
		10A NCAC 22H .0202	TRANSFER AND DISCHARGE REQUIREMENTS	Readopted Eff. July 1, 2018	Necessary	Select One	42 CFR 483.15, 42 CFR 483 Subpart E	No	Necessary
		10A NCAC 22H .0203	INITIATING A HEARING	Readopted Eff. July 1, 2018	Necessary	Yes If yes, include the citation to the federal law	42 CFR 483 Subpart E, 42 CFR 431, Subpart E	No	Necessary

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		10A NCAC 22H .0204	HEARING PROCEDURES	Readopted Eff. July 1, 2018	Necessary	Yes If yes, include the citation to the federal law	42 CFR 431, Subpart E and 42 CFR 483, Subpart E	No	Necessary
		10A NCAC 22H .0205	HEARING OFFICER'S FINAL DECISION	Readopted Eff. July 1, 2018	Necessary	Yes If yes, include the citation to the federal law	42 CFR 431, Subpart E and 42 CFR 483, Subpart E	No	Necessary
	SECTION .0300 - PASRR HEARINGS	10A NCAC 22H .0301	DEFINITIONS	Amended Eff. March 1, 2020	Necessary	Yes If yes, include the citation to the federal law	42 CFR 431, Subpart E , 42 CFR 483 Subpart C and E 42 CFR 483.128, 42 CFR 483.130	No	Necessary
		10A NCAC 22H .0302	PASRR REQUIREMENTS	Readopted Eff. July 1, 2018	Necessary	Yes If yes, include the citation to the federal law	42 CFR 431, Subpart E , 42 CFR 483 Subpart C and E 42 CFR 483.130, 42CFR 483.128	No	Necessary
		10A NCAC 22H .0303	INITIATING A HEARING	Readopted Eff. July 1, 2018	Necessary	Yes If yes, include the citation to the federal law	42 CFR 431 Subpart E, 42 CFR 483, Subpart E	No	Necessary
		10A NCAC 22H .0304	HEARING PROCEDURES	Readopted Eff. July 1, 2018	Necessary	Yes If yes, include the citation to the federal law	42 CFR 431, Subpart E, 42 CFR 483 Subpart E	No	Necessary
		10A NCAC 22H .0305	HEARING OFFICER'S FINAL DECISION	Readopted Eff. July 1, 2018	Necessary	Yes If yes, include the citation to the federal law	42 CFR 431 Subpart E, 42 CFR 483 Subpart E	No	Necessary
SUBCHAPTER 22I - TITLE XIX REIMBURSEMENT AND ADMINISTRATIVE REVIEW PROCESS	SECTION .0100 - AUDIT REVIEW PROCESS	10A NCAC 22I .0101	AUDIT TO BE CONDUCTED	Amended Eff. March 1, 2020	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 433.316, 42 C.F.R. 440.170, and 42 C.F.R. 447.253	No	Necessary
		10A NCAC 22I .0102	EXIT CONFERENCE	Readopted Eff. July 1, 2018	Necessary	No		No	Necessary
		10A NCAC 22I .0103	NOTICE OF PROGRAM REIMBURSEMENT	Amended Eff. March 1, 2020	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 433.316, 42 C.F.R. 405.1803	No	Necessary
SUBCHAPTER 22J - TITLE XIX APPEALS PROCEDURES		10A NCAC 22J .0101	PURPOSE AND SCOPE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 433 Subpart F	No	Necessary
		10A NCAC 22J .0102	PETITION FOR RECONSIDERATION REVIEW	Amended Eff. March 1, 2020	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. Subpart F, 42 C.F.R. 447.253	No	Necessary
		10A NCAC 22J .0103	RECONSIDERATION REVIEW PROCESS	Readopted Eff. July 1, 2018	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. Subpart F, 42 C.F.R. 447.253	No	Necessary

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		10A NCAC 22J .0104	PETITION FOR A CONTESTED CASE HEARING	Readopted Eff. July 1, 2018	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. Subpart F, 42 C.F.R. 447.253	No	Necessary
		10A NCAC 22J .0106	PROVIDER BILLING OF PATIENTS WHO ARE MEDICAID RECIPIENTS	Readopted Eff. March 21, 2019	Necessary	Yes If yes, include the citation to the federal law	42 CFR 447.15, 42 CFR 447.52(e) and 42 CFR 433.139	No	Necessary
SUBCHAPTER 22K - QUALIFIED PROVIDERS		10A NCAC 22K .0101	DEFINITION	Amended Eff. March 1, 2020	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 435.1103	No	Necessary
		10A NCAC 22K .0102	AGREEMENT	Readopted Eff. July 1, 2018	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 435.1103	No	Necessary
		10A NCAC 22K .0103	PRESUMPTIVE DETERMINATIONS	Readopted Eff. July 1, 2018	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 435.1103	No	Necessary
SUBCHAPTER 22L - MANAGED CARE AND PREPAID PLANS	SECTION .0100 - MANAGED CARE	10A NCAC 22L .0101	PROGRAM DEFINITION	Amended Eff. July 1, 2018	Unnecessary	Select One		No	Unnecessary
		10A NCAC 22L .0102	COORDINATION FEE	Readopted Eff. July 1, 2018	Unnecessary	Select One		No	Unnecessary
		10A NCAC 22L .0103	ACCESS TO CARE	Readopted Eff. July 1, 2018	Unnecessary	Select One		No	Unnecessary
		10A NCAC 22L .0104	ENROLLMENT	Readopted Eff. July 1, 2018	Unnecessary	Select One		No	Unnecessary
SUBCHAPTER 22N - PROVIDER ENROLLMENT	SECTION .0100 - GENERAL	10A NCAC 22N .0101	DEFINITIONS	Amended Eff. July 1, 2018	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 400.203, 42 C.F.R. 455.101	No	Necessary
42 C.F.R. 455.104; 42 C.F.R. 455.106;		10A NCAC 22N .0102	SIGNED AGREEMENTS	Readopted Eff. July 1, 2018	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. Part 455, Subpart E, 42 C.F.R. 431.107	No	Necessary
	SECTION .0200 - ENTITIES LICENSED UNDER NCGS 122C OR NCGS 131D	10A NCAC 22N .0202	DISCLOSURE OF OWNERSHIP	Readopted Eff. July 1, 2018	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 455.104; 42 C.F.R. 455.106;	No	Necessary
		10A NCAC 22N .0203	ENROLLMENT RESTRICTIONS	Readopted Eff. July 1, 2018	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 455.422, 42 C.F.R. 1002.213, 42 C.F.R. 455.452, 42 C.F.R. 455.412	No	Necessary

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SUBCHAPTER 22Q - DISTRIBUTION OF FEDERAL DISPROPORTIONATE SHARE ADJUSTMENT RECEIPTS ARISING FROM CERTIFIED PUBLIC EXPENDITURES		10A NCAC 22Q .0101	SCOPE	Eff. August 1, 2022	Necessary	No		No	Necessary
		10A NCAC 22Q .0102	DEFINITIONS	Eff. August 1, 2022	Necessary	No		No	Necessary
		10A NCAC 22Q .0103	DISTRIBUTIONS	Eff. August 1, 2022	Necessary	No		No	Necessary
		10A NCAC 22Q .0104	CERTIFYING HOSPITAL DISTRIBUTION	Eff. August 1, 2022	Necessary	No		No	Necessary
		10A NCAC 22Q .0105	CERTIFYING HOSPITALS' OUTPATIENT COSTS	Eff. August 1, 2022	Necessary	No		No	Necessary
		10A NCAC 22Q .0106	CERTIFYING HOSPITAL'S PROPORTIONATE SHARE	Eff. August 1, 2022	Necessary	No		No	Necessary
SUBCHAPTER 22R - DISTRIBUTION OF HOSPITAL UNCOMPENSATED CARE FUND		10A NCAC 22R .0101	SCOPE	Eff. August 1, 2022	Necessary	No		No	Necessary
		10A NCAC 22R .0102	DEFINITIONS	Eff. August 1, 2022	Necessary	No		No	Necessary
		10A NCAC 22R .0103	ELIGIBLE HOSPITAL	Eff. August 1, 2022	Necessary	No		No	Necessary
		10A NCAC 22R .0104	ELIGIBLE OUTPATIENT COSTS	Eff. August 1, 2022	Necessary	No		No	Necessary
		10A NCAC 22R .0105	DISTRIBUTION OF AVAILABLE FUNDS	Eff. August 1, 2022	Necessary	No		No	Necessary