

G.S. 150B-21.3A Report for 10A NCAC 23, MEDICAL ASSISTANCE ADMINISTRATION							
Agency - DHHS - Division of Health Benefits							
Comment Period -Janaury 16, 2026 - March 17, 2026							
Date Submitted to APO - Filled in by RRC staff							
Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action	Agency Determination [150B-	Required to Implement or Conform	Federal Regulation Citation
SUBCHAPTER 23A - GENERAL PROGRAM ADMINISTRATION	SECTION .0100 - GENERAL	10A NCAC 23A .0102	DEFINITIONS	Amended Eff. May 1, 2022	Necessary	Yes If yes, include the citation to the federal law	P.L. 99-509; P.L. 100-360; P.L. 100-485; 42 C.F.R. 431.211; 42 C.F.R. 431.214
		10A NCAC 23A .0103	QUALITY ASSURANCE	Readopted Eff. June 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 431, Subpart P
		10A NCAC 23A .0104	AVAILABILITY OF MANUALS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 431.18
SUBCHAPTER 23B - BENEFITS	SECTION .0100 - GENERAL	10A NCAC 23B .0101	MEDICAID IDENTIFICATION CARD	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No	
		10A NCAC 23B .0102	ISSUANCE	Amended Eff. October 1, 2021	Necessary	No	
SUBCHAPTER 23C – APPLICATION FOR MEDICAID BENEFITS	SECTION .0100 - APPLICATION PROCESS	10A NCAC 23C .0101	ACCEPTANCE OF APPLICATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 435.906; 42 C.F.R. 435.907; 42 C.F.R. 435.911; Alexander v. Flaherty, U.S.D.C., W.D.N.C., File No. C-C-74-183, Consent Order filed 15 December 1989; Alexander v. Flaherty Consent Order filed February 14, 1992; Alexander v. Bruton Consent Order dismissed Effective February 1, 2002;

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		10A NCAC 23C .0102	FACE-TO-FACE INTERVIEW	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 431.206; 42 C.F.R. 433.138; C.F.R. 435.901;42 C.F.R. 435.905; 42 C.F.R. 435.908; C.F.R. 435.919; 42 C.F.R. 435.948; 42 C.F.R. 435.949; Alexander v. Flaherty, U.S.D.C., W.D.N.C., File No. C-C-74-183, Consent Order Filed 15 December 1989; Alexander v. Flaherty Consent Order filed February 14, 1992; Alexander v. Bruton Consent Order dismissed Effective February 1, 2002
		10A NCAC 23C .0103	RECOMMENDATION FOR DISPOSITION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 435.914
		10A NCAC 23C .0104	DISPOSITION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 435.912; 42 C.F.R. 435.914; Alexander v. Flaherty, U.S.D.C., W.D.N.C., File No. C-C-74-183, Consent Order filed 15 December 1989; Alexander v. Bruton Consent Order dismissed Effective February 1, 2002
		10A NCAC 23C .0105	REFERRALS AT A FACE-TO-FACE INTERVIEW	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 441.56; 42 U.S.C. 1396a(a); Alexander v. Bruton Consent Order dismissed Effective February 1, 2002
		10A NCAC 23C .0106	MANDATORY USE OF OUTREACH LOCATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	Yes If yes, include the citation to the federal law	42 CFR 435.904
		10A NCAC 23C .0107	HOURS FOR ACCEPTING FINANCIAL AND MEDICAL ASSISTANCE APPLICATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	Yes If yes, include the citation to the federal law	Alexander v. Bruton Consent Order

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	SECTION .0200 – APPLICATION PROCESSING, MONITORING AND CORRECTIVE ACTION	10A NCAC 23C .0201	APPLICATION PROCESSING STANDARDS	Readopted Eff. June 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 U.S.C. 1396p; 42 C.F.R.435.406; 42 C.F.R. 435.601; 42 C.F.R.435.831; 42 C.F.R.435.907; 42 C.F.R.435.910; 42 C.F.R. 435.911; 42 C.F.R 435.912; 42 C.F.R 435.952; Alexander v. Flaherty, V.S.D.C., W.D.N.C., File No. C-C-74-183, Consent Order Filed 15 December 1989; Alexander v. Flaherty Consent Order filed February 14, 1992; Alexander v. Bruton Consent Order dismissed Effective February 1, 2002
		10A NCAC 23C .0202	MONITORING THRESHOLDS AND CORRECTIVE ACTION	Amended Eff. March 1, 2020	Necessary	Yes If yes, include the citation to the federal law	Alexander v. Bruton, U.S.D.C., File No. C-C-74-183-M, Consent Order dismissed effective February 1, 2002
		10A NCAC 23C .0203	TIMELINESS	Amended Eff. March 1, 2020	Necessary	Yes If yes, include the citation to the federal law	Alexander v. Bruton, U.S.D.C., File No. C-C-74-183-M, Consent Order dismissed effective February 1, 2002;
		10A NCAC 23C .0204	LOCAL CORRECTIVE ACTION TEAM	Amended Eff. March 1, 2020	Select One	Select One	Alexander v. Bruton, U.S.D.C., File No. C-C-74-183-M, Consent Order dismissed effective February 1, 2002
		10A NCAC 23C .0205	STATE CORRECTIVE ACTION TEAM	Amended Eff. March 1, 2020	Select One	Select One	Alexander v. Bruton, U.S.D.C., File No. C-C-74-183-M, Consent Order dismissed effective February 1, 2002; 42 C.F.R. 435.903
SUBCHAPTER 23E – MEDICAID ELIGIBILITY REQUIREMENTS	SECTION .0100 – NON-FINANCIAL REQUIREMENTS	10A NCAC 23E .0103	RESIDENCE	Readopted Eff. June 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 435.403

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		10A NCAC 23E .0105	DISABILITY	Readopted Eff. August 1, 2019	Necessary	Yes If yes, include the citation to the federal law	20 C.F.R. 416, subpart I; 42 C.F.R. 435.540; 42 C.F.R. 435.541; Alexander v. Flaherty Consent Order filed February 14, 1992
		10A NCAC 23E .0106	BLINDNESS	Readopted Eff. June 1, 2019	Necessary	Yes If yes, include the citation to the federal law	20 C.F.R. 416, Subpart I; 42 C.F.R. 435.133; 42 C.F.R. 435.530; 42 C.F.R. 435.531
	SECTION .0200 – FINANCIAL REQUIREMENTS	10A NCAC 23E .0201	APPLYING FOR ALL BENEFITS AND ANNUITIES	Readopted Eff. June 1, 2019	Unnecessary	No	
		10A NCAC 23E .0202	WHAT RESOURCES ARE COUNTED	Amended Eff. March 1, 2020	Necessary	Yes If yes, include the citation to the federal law	20 C.F.R. 416 subpart I; 42 C.F.R. 435.120; 42 C.F.R. 435.210; 42 C.F.R. 435.601; 42 C.F.R. 435.603; 42 C.F.R. 435.840; 42 C.F.R. 435.843; 42 C.F.R. 435.84
		10A NCAC 23E .0203	COUNTABLE INCOME	Readopted Eff. June 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 435.135; 42 C.F.R. 435.603; 42 C.F.R. 435.725; 42 C.F.R. 435.811; 42 C.F.R. 435.831; 42 C.F.R. 435.832; 42 C.F.R. 435.1007; 45 C.F.R. 233.20; 42 U.S.C 1383c(b); 42 U.S.C 1383c(d); P.L. 99-272, Section 12202; Alexander v. Flaherty Consent Order filed February 14, 1992
		10A NCAC 23E .0205	BUDGET UNIT MEMBERSHIP	Readopted Eff. June 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 435.602; 42 C.F.R. 435.603; 45 C.F.R. 233.51 P.L. 104-208, Title IV

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		10A NCAC 23E .0207	WHOSE RESOURCES ARE COUNTED	Readopted Eff. June 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 U.S.C. 1396r-5; 42 U.S.C. 1396a(a)(17); 42 U.S.C. 1396a(a)(51); 42 C.F.R. 435.602; 42 C.F.R. 435.725; 42 C.F.R. 435.726; 42 C.F.R. 435.840; 42 C.F.R. 435.832; 42 C.F.R. 435.845; 45 C.F.R. 233.20; 45 C.F.R. 233.51; Correll v. DSS/DMA/DHR, 418 S.E.2d 232 (1992)
		10A NCAC 23E .0208	CALCULATING INCOME	Readopted Eff. June 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 435.603; 42 C.F.R. 435.831; 45 C.F.R. 435.845; 45 C.F.R. 233.20; 45 C.F.R. 233.51; P.L. 104-208
		10A NCAC 23E .0209	DEDUCTIBLE	Readopted Eff. June 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 435.831; Alexander v. Flaherty, U.S.D.C., W.D.N.C., File Number C-C-74-483; Alexander v. Flaherty Consent Order filed February 14, 1992
		10A NCAC 23E .0210	PATIENT LIABILITY	Readopted Eff. June 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 435.725; 42 C.F.R. 435.831; 42 C.F.R. 435.832
		10A NCAC 23E .0211	ALIEN SPONSOR DEEMING	Readopted Eff. June 1, 2019	Necessary	Yes If yes, include the citation to the federal law	P.L. 104-208, Title IV; P.L. 105-33, Title IV; 45 C.F.R. 233.51
SUBCHAPTER 23G – MEDICAID CERTIFICATION, CORRECTION OF ELIGIBILITY AND REDETERMINATION OF ELIGIBILITY	SECTION .0200 – CORRECTION OF ERRONEOUS ELIGIBILITY	10A NCAC 23G .0201	GENERAL	Readopted Eff. June 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 431.246; 42 C.F.R. 431.804; 42 C.F.R. 435.916

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		10A NCAC 23G .0202	CORRECTIVE ACTIONS	Readopted Eff. June 1, 2019	Necessary	Yes If yes, include the citation to the federal law	C.F.R. 431.246; 42 C.F.R. 431, Subpart P; 42 C.F.R. 431.804; 42 C.F.R. 435.831; 42 C.F.R. 435.903; 42 C.F.R. 435.906; 42 C.F.R. 435.909; 42 C.F.R. 435.916; 42 C.F.R. 435.919
		10A NCAC 23G .0203	TIME LIMITS FOR CORRECTIONS	Readopted Eff. August 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 431.246; 42 C.F.R. 431.250; 42 C.F.R. 435.903
		10A NCAC 23G .0204	RESPONSIBILITY FOR ERRORS	Readopted Eff. June 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 433.32; 42 C.F.R. 435.903
	SECTION .0300 – REDETERMINATION OF ELIGIBILITY AND CHANGE IN SITUATION	10A NCAC 23G .0302	INTERVIEW	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Unnecessary	No	
		10A NCAC 23G .0304	CHANGE IN SITUATION	Readopted Eff. October 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 435.603; 42 C.F.R. 435.916; 42 C.F.R. 435.919; 42 C.F.R. 435.949
SUBCHAPTER 23H – CONFIDENTIALITY AND ACCESS TO CLIENT RECORDS	SECTION .0100 - GENERAL	10A NCAC 23H .0101	SCOPE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 431 Subpart F
		10A NCAC 23H .0102	INFORMATION FROM OTHER AGENCIES	Amended Eff. March 1, 2020	Necessary	Yes If yes, include the citation to the federal law	42 CFR 431.306; 42 C.F.R. 431. 300
		10A NCAC 23H .0103	CONFIDENTIALITY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 431.302; 42 C.F.R. 431 Subpart F
		10A NCAC 23H .0104	OWNERSHIP OF RECORDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 431.306 ; 42 C.F.R. 431.17
		10A NCAC 23H .0105	SECURITY OF RECORDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 431.300

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		10A NCAC 23H .0106	LIABILITY OF PERSONS WITH ACCESS	Readopted Eff. June 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 431 Subpart F
		10A NCAC 23H .0107	RIGHT OF ACCESS	Readopted Eff. June 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 431.306
		10A NCAC 23H .0108	WITHHOLDING INFORMATION FROM THE CLIENT	Readopted Eff. June 1, 2019	Necessary	No	
		10A NCAC 23H .0109	PROCEDURE FOR REVIEW OF RECORDS	Readopted Eff. August 1, 2019	Necessary	No	
		10A NCAC 23H .0110	CONSENT FOR RELEASE	Readopted Eff. June 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 431.304; 42 CFR 431.306; 42 C.F.R. 435.945
		10A NCAC 23H .0111	DISCLOSURE WITHOUT CLIENT CONSENT	Readopted Eff. June 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. 431.300; 42 C.F.R. 431.302; 42 C.F.R. 431.306
		10A NCAC 23H .0112	DOCUMENTATION OF CONSENT OR DISCLOSURE	Readopted Eff. June 1, 2019	Necessary	No	
n		10A NCAC 23H .0113	PERSONS DESIGNATED TO DISCLOSE INFORMATION	Readopted Eff. June 1, 2019	Necessary	No	
		10A NCAC 25H .0205	RESTRICTIONS AND PRIOR APPROVAL	Amended Eff. March 1, 2020	Necessary	Yes If yes, include the citation to the federal law	42 C.F.R. Part 456