

G.S. 150B-21.3A Report for 10A NCAC 27H, MISCELLANEOUS RULES

Agency-DHHS Commission for Mental Health/DD/SAS

Comment Period - September 18, 2024 - November 16, 2024

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 27H – MISCELLANEOUS RULES	SECTION .0100 – ADMISSION PROCEDURES FOR MINORS OR INCOMPETENT PERSONS TO NONRESTRICTIVE TREATMENT FACILITIES	10A NCAC 27H .0101	SCOPE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017		No						
					Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 27H .0102	DEFINITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 27H .0103	APPLICATION FOR ADMISSION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 27H .0104	PROCEDURE FOR ADMISSION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 27H .0105	CRITERIA FOR ADMISSION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 27H .0106	INDIVIDUAL TREATMENT/PROGRAM PLAN	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 27H .0107	REVIEW OF CONTINUED TREATMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 27H .0108	DISCHARGE PLAN	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0200 – TRAINING AND CERTIFICATION OF FORENSIC EVALUATORS	10A NCAC 27H .0201	SCOPE	Amended Eff. June 1, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 27H .0202	DEFINITIONS	Amended Eff. June 1, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 27H .0203	ELIGIBILITY FOR TRAINING	Amended Eff. June 1, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 27H .0204	TRAINING AND CERTIFICATION	Amended Eff. June 1, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 27H .0205	LME-MCO OVERSIGHT OF FORENSIC EVALUATOR PROGRAM	Amended Eff. June 1, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 27H .0206	TERMINATION OF CERTIFICATION	Amended Eff. June 1, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 27H .0207	DUTIES OF A CERTIFIED FORENSIC EVALUATOR	Amended Eff. June 1, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0300 – HEPATITIS B SCREENING AND VACCINATION OF RESIDENTS AND VACCINATION OF DIRECT CARE EMPLOYEES IN GROUP HOMES FOR DEVELOPMENTALLY DISABLED PERSONS	10A NCAC 27H .0301	SCOPE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 27H .0302	DEFINITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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		10A NCAC 27H .0303	CURRENT RESIDENTS AND EMPLOYEES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 27H .0304	PROSPECTIVE RESIDENTS AND EMPLOYEES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 27H .0305	COST FOR HEPATITIS B PROTECTION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 27H .0306	RECORDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 27H .0307	PROTECTIONS DURING PREGNANCY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 27H .0308	PERSONAL HYGIENE/ENVIRONMENTAL PRECAUTIONS: STAFF TRAINING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 27H .0309	DOCUMENTATION OF COMPLIANCE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0400 - CLIENT ELIGIBILITY	10A NCAC 27H .0401	SCOPE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 27H .0402	SCREENING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 27H .0403	SERVICE PURPOSE AND ELIGIBILITY REQUIREMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 27H .0404	CROSS-REFERENCE TO CLIENT FEE FOR SERVICE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 27H .0405	GEOGRAPHICAL AREA	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 27H .0406	WAITING LISTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 27H .0407	EXPLANATION OF PROGRAM RULES AND POLICIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0600 – CONTINUITY OF CARE	10A NCAC 27H .0601	SCOPE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 27H .0602	EXPLANATION OF TERMS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 27H .0603	GENERAL RESPONSIBILITIES OF AREA AUTHORITY AND DIVISION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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		10A NCAC 27H .0604	PROGRAMMATIC RESPONSIBILITIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 27H .0605	BUDGETARY RESPONSIBILITIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 27H .0606	DOCUMENTATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 27H .0607	APPEALS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt