

**G.S. 150B-21.3A Report for 10A NCAC 28B, CIVIL AND LEGAL RIGHTS**

Agency - DHHS Commission for Mental Health/DD/SAS

Comment Period - September 18 - November 16, 2024

Date Submitted to APO - February 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(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 28B – CIVIL AND LEGAL RIGHTS	SECTION .0100 – GENERAL RIGHTS	10A NCAC 28B .0101	COMPETENCY OF ADULT CLIENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 28B .0102	BASIC RIGHTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 28B .0103	RELIGIOUS RIGHTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0200 LEGAL RIGHTS	10A NCAC 28B .0201	ACCESS TO LEGAL SERVICES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 28B .0202	NONPROFIT LEGAL SERVICES ORGANIZATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 28B .0203	STATE FACILITY GRIEVANCE PROCEDURE AND REPORTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 28B .0204	DIVISION DIRECTOR'S REVIEW OF GRIEVANCES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 28B .0205	DEPARTMENT REVIEW OF GRIEVANCE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 28B .0206	ACCESS TO INTERNAL CLIENT ADVOCATE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 28B .0207	CLIENT ADVOCATE ACCESS TO CONFIDENTIAL INFORMATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 28B .0208	DEATHS AND AUTOPSIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0300 LABOR RIGHTS	10A NCAC 28B .0301	EMPLOYMENT CONDITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 28B .0302	VOLUNTARY NON COMPENSATED WORK	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 28B .0303	PERSONAL HOUSEKEEPING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0400 NONDISCRIMINATION	10A NCAC 28B .0401	TITLE VI CIVIL RIGHTS ACT 1964	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 28B .0402	DHHS DIRECTIVE INTERPRETER SERVICES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 28B .0403	STATE AND FEDERAL REGULATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt