

**G.S. 150B-21.3A Report for 10A NCAC 28C, DIGNITY AND RESPECT**

Agency - 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(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 28C DIGNITY AND RESPECT	SECTION .0100 SAFE ENVIRONMENT	10A NCAC 28C .0101	PROTECTION FROM HARM	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 28C .0102	CORPORAL PUNISHMENT	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 28C .0103	REPORTING ABUSE, NEGLECT OR EXPLOITATION	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 28C .0104	SAFE BUILDINGS AND GROUNDS	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 28C .0105	MEALS	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 28C .0106	REPORTING CLIENT INJURIES	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 – ESTHETIC AND HUMANE ENVIRONMENT		10A NCAC 28C .0201	STATE FACILITY ENVIRONMENT	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 28C .0202	ACTIVITIES	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 28C .0203	PERSONAL LIVING SPACE	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 28C .0204	HEALTH, HYGIENE AND GROOMING	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 PRIVACY AND PERSONAL FREEDOM		10A NCAC 28C .0301	COMMUNICATION 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 28C .0302	PERSONAL CLOTHING	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 28C .0303	PERSONAL POSSESSIONS	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 28C .0304	STORAGE AND PROTECTION OF CLOTHING AND POSSESSIONS	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 28C .0305	SOCIAL INTERACTION	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 28C .0306	CONFIDENTIALITY	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 28C .0307	SEARCH AND SEIZURE	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 28C .0308	SEARCH OF UNIT/WARD	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 28C .0309	ISSUANCE OF A SEARCH WARRANT	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 28C .0310	CLIENT'S PERSONAL FUNDS	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	