

**G.S. 150B-21.3A Report for 10A NCAC 28F, ADMISSION AND DISCHARGE**

Agency - DHHS- Commission for MH/DD/SAS

Comment Period - December 28, 2018 - February 26, 2019

Date Submitted to APO - June 24, 2019

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	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
	SECTION .0100 - ADMISSIONS	10A NCAC 28F .0101	REGIONS FOR DIVISION INSTITUTIONAL ADMISSIONS	Amended Eff. June 1, 2009	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0200 - VOLUNTARY ADMISSIONS, INVOLUNTARY COMMITMENTS AND DISCHARGES OF ADULTS FROM REGIONAL PSYCHIATRIC	10A NCAC 28F .0201	SCOPE	Amended Eff. July 1, 1996	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 28F .0202	EXPLANATION OF TERMS	Amended Eff. July 1, 1996	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 28F .0203	AUTHORIZATION OF HOSPITALIZATION BY AREA PROGRAM	Amended Eff. July 1, 1996	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 28F .0204	AUTHORIZATION OF HOSPITALIZATION WHEN INDIVIDUAL ARRIVES DIRECTLY AT HOSPITAL	Amended Eff. July 1, 1996	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 28F .0205	WRITTEN EVALUATION BY AREA PROGRAM	Amended Eff. July 1, 1996	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 28F .0206	ADDITIONAL INFORMATION FOR TREATMENT	Amended Eff. July 1, 1996	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 28F .0207	COMMUNICATION TO AREA PROGRAM REGARDING ADMISSION/DENIAL	Amended Eff. July 1, 1996	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 28F .0208	GENERAL CRITERIA FOR ADMISSION	Amended Eff. July 1, 1996	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 28F .0209	COORDINATION AND CONTINUITY OF CLIENT CARE	Amended Eff. July 1, 1996	Necessary without substantive public interest	No		Yes	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 28F .0212	RESOLUTION OF DIFFERENCES OF OPINION	Amended Eff. November 1, 2005	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0300 - MEDICAL STAFF BYLAWS OF NORTH CAROLINA REGIONAL MENTAL HOSPITALS	10A NCAC 28F .0301	ORGANIZATION OF STAFFS	Eff. February 1, 1976	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 28F .0302	APPLICANTS FOR MEMBERSHIP	Eff. February 1, 1976	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 28F .0303	MEDICAL DIRECTOR OF HOSPITAL	Eff. February 1, 1976	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 28F .0304	APPLICATION PROCESS	Eff. February 1, 1976	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 28F .0305	RESTRICTION OR TERMINATION OF STAFF PRIVILEGES	Amended Eff. March 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 28F .0306	EMERGENCY AND TEMPORARY PRIVILEGES	Eff. February 1, 1976	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

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		10A NCAC 28F .0307	DIVISIONS OF STAFF	Eff. February 1, 1976	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 28F .0308	MEDICAL STAFF BYLAWS FORM	Eff. February 1, 1976	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	<b>SECTION .0400 - HOSPITAL BEHAVIOR THERAPY PROGRAMS</b>	10A NCAC 28F .0401	SCOPE	Eff. October 8, 1980	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 28F .0402	DEFINITIONS	Amended Eff. March 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 28F .0403	IDENTIFICATION OF BEHAVIOR THERAPY PROGRAMS	Eff. October 8, 1980	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 28F .0404	REQUIRED FACILITY MANUALS	Amended Eff. March 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 28F .0405	REQUIRED PROGRAM MANUAL	Amended Eff. March 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10a NCAC 28F .0406	INSTITUTIONAL BEHAVIOR THERAPY COMMITTEE	Amended Eff. March 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	<b>SECTION .0700 - ADMISSION OF DEAF CLIENTS TO STATE PSYCHIATRIC HOSPITALS AND TRANSFER OF DEAF CLIENTS TO DOROTHEA DIX</b>	10A NCAC 28F .0701	PURPOSE AND SCOPE	Eff. March 1, 1995	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 28F .0702	DEFINITIONS	Eff. March 1, 1995	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 28F .0703	ADMISSION OF DEAF CLIENTS TO STATE PSYCHIATRIC HOSPITALS	Eff. March 1, 1995	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 28F .0704	TRANSFER OF DEAF CLIENTS TO THE DOROTHEA DIX DEAF UNIT	Eff. March 1, 1995	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 28F .0705	DOROTHEA DIX HOSPITAL DEAF UNIT	Eff. March 1, 1995	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	<b>SECTION .1000 - PROBATION AND DISCHARGE</b>	10A NCAC 28F .1001	PROBATION AND DISCHARGE	Amended Eff. August 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 28F .1002	CENTER RULE VIOLATION	Eff. February 1, 1976	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

Agency	Rule	Name	Type of Comment	Comment	Agency Response
Copy all columns in this row to the right of this yellow cell and paste in new rows			Select One		
Commission for MH/DD/SAS	10A NCAC 28F .0209	Coordination and Continuity of Client Care	Other Statement	It is unclear if this Rule includes the discharge of a client from a hospital and referral to an unlicensed vs a licensed program for ongoing coordinated (with the family, medical and community providers) for mental health services. An unlicensed program providing mental health intensive therapy services should not be allowed under any law or Rule to participate in the treatment of those prescribed for intensive therapy upon discharge from a hospital. This, however, is happening in North Carolina.	The rule addresses the process for discharge planning, but is silent on the types of settings to which patients are referred. Discharge placements are based on an individual's needs and availability of resources and are not determined by license status of a provider/placement. For example, nearly half of individuals discharged from SPHs return to a home setting with family or friends – which are, of course, not licensed.