

**G.S. 150B-21.3A Report for 10A NCAC Chapter 23, Medical Assistance Administration**

Agency - Health and Human Services, Department of

Comment Period - Filled in by Agency

Date Submitted to APO - Filled in by RRC staff

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)]	
SUBCHAPTER 23A - GENERAL PROGRAM ADMINISTRATION	SECTION .0100 - GENERAL	10A NCAC 23A .0101	SUPERVISION	Transferred from 10A NCAC 21A .0101 Eff. May 1, 2012	Unnecessary	No		No	Unnecessary	
		10A NCAC 23A .0102	DEFINITIONS	Transferred from 10A NCAC 21A .0201 Eff. May 1, 2012	Necessary without substantive public interest	No		No	Necessary without substantive public interest	
		10A NCAC 23A .0103	QUALITY ASSURANCE	Transferred from 10A NCAC 21A .0501 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 431, Subpart P	No	Necessary with substantive public interest	
		10A NCAC 23A .0104	AVAILABILITY OF MANUALS	Transferred from 10A NCAC 21A .0701 Eff. May 1, 2012	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 431.18	No	Necessary without substantive public interest	
SUBCHAPTER 23B - BENEFITS	SECTION .0100 - GENERAL	10A NCAC 23B .0101	MEDICAID IDENTIFICATION CARD	Transferred from 10A NCAC 21C .0101 Eff. May 1, 2012	Necessary without substantive public interest	No		No	Necessary without substantive public interest	
		10A NCAC 23B .0102	ISSUANCE	Transferred from 10A NCAC 21C .0102 Eff. May 1, 2012	Necessary without substantive public interest	No		No	Necessary without substantive public interest	
SUBCHAPTER 23C - APPLICATION FOR MEDICAID BENEFITS	SECTION .0100 - APPLICATION PROCESS	10A NCAC 23C .0101	ACCEPTANCE OF APPLICATION	Transferred from 10A NCAC 21B .0201 Eff. May 1, 2012	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435, Subpart J	No	Necessary without substantive public interest	
		10A NCAC 23C .0102	FACE-TO-FACE INTERVIEW	Transferred from 10A NCAC 21B .0202 Eff. May 1, 2012	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435, Subpart J	No	Necessary without substantive public interest	
		10A NCAC 23C .0103	RECOMMENDATION FOR DISPOSITION	Transferred from 10A NCAC 21B .0205 Eff. May 1, 2012	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435, Subpart J	No	Necessary without substantive public interest	
		10A NCAC 23C .0104	DISPOSITION	Transferred from 10A NCAC 21B .0206 Eff. May 1, 2012	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435, Subpart J	No	Necessary without substantive public interest	
		10A NCAC 23C .0105	REFERRALS AT A FACE-TO-FACE INTERVIEW	Transferred from 10A NCAC 21B .0207 Eff. May 1, 2012	Necessary without substantive public interest	No		No	No	Necessary without substantive public interest
		10A NCAC 23C .0106	MANDATORY USE OF OUTREACH LOCATIONS	Transferred from 10A NCAC 21B .0208 Eff. May 1, 2012	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435.904	No	No	Necessary without substantive public interest

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		10A NCAC 23C .0107	HOURS FOR ACCEPTING FINANCIAL AND MEDICAL ASSISTANCE APPLICATIONS	Transferred from 10A NCAC 21B .0209 Eff. May 1, 2012	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435.902 and .906	No	Necessary without substantive public interest
	<b>SECTION .0200 – APPLICATION PROCESSING, MONITORING AND CORRECTIVE ACTION</b>	10A NCAC 23C .0201	APPLICATION PROCESSING STANDARDS	Transferred from 10A NCAC 21B .0203 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435, Subpart J	No	Necessary with substantive public interest
		10A NCAC 23C .0202	MONITORING THRESHOLDS AND CORRECTIVE ACTION	Transferred from 10A NCAC 21A .0605 Eff. May 1, 2012	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 23C .0203	TIMELINESS	Transferred from 10A NCAC 21A .0606 Eff. May 1, 2012	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435.912	No	Necessary without substantive public interest
		10A NCAC 23C .0204	LOCAL CORRECTIVE ACTION TEAM	Transferred from 10A NCAC 21A .0607 Eff. May 1, 2012	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 23C .0205	STATE CORRECTIVE ACTION TEAM	Transferred from 10A NCAC 21A .0608 Eff. May 1, 2012	Necessary without substantive public interest	No		No	Necessary without substantive public interest
<b>SUBCHAPTER 23D – MEDICAID ELIGIBILITY GROUPS AND CLASSIFICATION</b>	<b>SECTION .0100 – COVERAGE GROUPS</b>	10A NCAC 23D .0101	MANDATORY GROUPS	Transferred from 10A NCAC 21B .0101 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435, Subpart B	No	Necessary with substantive public interest
		10A NCAC 23D .0102	OPTIONAL GROUPS	Transferred from 10A NCAC 21B .0102 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435, Subpart C	No	Necessary with substantive public interest
	<b>SECTION .0200 - CLASSIFICATION</b>	10A NCAC 23D .0201	CLASSIFICATION	Transferred from 10A NCAC 21B .0408 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435, Subpart B	No	Necessary with substantive public interest
<b>SUBCHAPTER 23E – MEDICAID ELIGIBILITY REQUIREMENTS</b>	<b>SECTION .0100 – NON-FINANCIAL REQUIREMENTS</b>	10A NCAC 23E .0101	AGE	Transferred from 10A NCAC 21B .0301 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435.522	No	Necessary with substantive public interest
		10A NCAC 23E .0102	UNITED STATES CITIZEN	Transferred from 10A NCAC 21B .0302 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435.406	No	Necessary with substantive public interest
		10A NCAC 23E .0103	RESIDENCE	Transferred from 10A NCAC 21B .0303 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435.403	No	Necessary with substantive public interest

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		10A NCAC 23E .0104	DEPRIVATION	Transferred from 10A NCAC 21B .0304 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435.510	No	Necessary with substantive public interest
		10A NCAC 23E .0105	DISABILITY	Transferred from 10A NCAC 21B .0305 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435.541	No	Necessary with substantive public interest
		10A NCAC 23E .0106	BLINDNESS	Transferred from 10A NCAC 21B .0306 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435.531	No	Necessary with substantive public interest
		10A NCAC 23E .0107	CARETAKER RELATIVE	Transferred from 10A NCAC 21B .0307 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435.310	No	Necessary with substantive public interest
		10A NCAC 23E .0108	INMATE OF PUBLIC INSTITUTION OR PRIVATE PSYCHIATRIC HOSPITAL	Transferred from 10A NCAC 21B .0308 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435.1009	No	Necessary with substantive public interest
	<b>SECTION .0200 – FINANCIAL REQUIREMENTS</b>	10A NCAC 23E .0201	APPLYING FOR ALL BENEFITS AND ANNUITIES	Transferred from 10A NCAC 21B .0309 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435.603	No	Necessary with substantive public interest
		10A NCAC 23E .0202	RESERVE	Transferred from 10A NCAC 21B .0310 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435, Subpart I	No	Necessary with substantive public interest
		10A NCAC 23E .0203	INCOME	Transferred from 10A NCAC 21B .0312 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435, Subpart I	No	Necessary with substantive public interest
		10A NCAC 23E .0204	PERSONAL NEEDS ALLOWANCE	Transferred from 10A NCAC 21B .0313 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435, Subpart H	No	Necessary with substantive public interest
		10A NCAC 23E .0205	BUDGET UNIT MEMBERSHIP	Transferred from 10A NCAC 21B .0401 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435.602	No	Necessary with substantive public interest
		10A NCAC 23E .0206	FINANCIAL RESPONSIBILITY AND DEEMING	Transferred from 10A NCAC 21B .0402 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435, Subpart I	No	Necessary with substantive public interest
		10A NCAC 23E .0207	RESERVE	Transferred from 10A NCAC 21B .0403 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435, Subparts H and I	No	Necessary with substantive public interest
		10A NCAC 23E .0208	INCOME	Transferred from 10A NCAC 21B .0404 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435	No	Necessary with substantive public interest
		10A NCAC 23E .0209	DEDUCTIBLE	Transferred from 10A NCAC 21B .0406 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435.831	No	Necessary with substantive public interest
		10A NCAC 23E .0210	PATIENT LIABILITY	Transferred from 10A NCAC 21B .0407 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435.831	No	Necessary with substantive public interest

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		10A NCAC 23E .0211	ALIEN SPONSOR DEEMING	Transferred from 10A NCAC 21B .0410 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435.113	No	Necessary with substantive public interest
SUBCHAPTER 23G – MEDICAID CERTIFICATION, CORRECTION OF ELIGIBILITY AND REDETERMINATION OF ELIGIBILITY	SECTION .0100 – MEDICAID CERTIFICATION	10A NCAC 23G .0101	CERTIFICATION AND AUTHORIZATION	Transferred from 10A NCAC 21B .0405 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435.916	No	Necessary with substantive public interest
	SECTION .0200 – CORRECTION OF ERRONEOUS ELIGIBILITY	10A NCAC 23G .0201	GENERAL	Transferred from 10A NCAC 21A .0601 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435.916	No	Necessary with substantive public interest
		10A NCAC 23G .0202	CORRECTIVE ACTIONS	Transferred from 10A NCAC 21A .0602 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435.903	No	Necessary with substantive public interest
		10A NCAC 23G .0203	TIME LIMITS FOR CORRECTIONS	Transferred from 10A NCAC 21A .0603 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435.903, .919	No	Necessary with substantive public interest
		10A NCAC 23G .0204	RESPONSIBILITY FOR ERRORS	Transferred from 10A NCAC 21A .0604 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435.903	No	Necessary with substantive public interest
	SECTION .0300 – REDETERMINATION OF ELIGIBILITY AND CHANGE IN SITUATION	10A NCAC 23G .0301	TIME AND CONTENT	Transferred from 10A NCAC 21B .0501 Eff. May 1, 2012	Unnecessary	Yes If yes, include the citation to the federal law	42 C.F.R. 435.916	No	Unnecessary
		10A NCAC 23G .0302	INTERVIEW	Transferred from 10A NCAC 21B .0502 Eff. May 1, 2012	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435.916	No	Necessary without substantive public interest
		10A NCAC 23G .0303	RECOMMENDATION	Transferred from 10A NCAC 21B .0503 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435.916	No	Necessary with substantive public interest
		10A NCAC 23G .0304	CHANGE IN SITUATION	Transferred from 10A NCAC 21B .0409 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 435.916	No	Necessary with substantive public interest
	SUBCHAPTER 23H – CONFIDENTIALITY AND ACCESS TO CLIENT RECORDS	SECTION .0100 - GENERAL	10A NCAC 23H .0101	SCOPE	Transferred from 10A NCAC 21A .0401 Eff. May 1, 2012	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	5 U.S.C. 552a; 45 C.F.R. Part 5b	No
		10A NCAC 23H .0102	INFORMATION FROM OTHER AGENCIES	Transferred from 10A NCAC 21A .0402 Eff. May 1, 2012	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. Part 160; 45 C.F.R. Part 164, Subparts A and E	No	Necessary without substantive public interest
		10A NCAC 23H .0103	CONFIDENTIALITY	Transferred from 10A NCAC 21A .0403 Eff. May 1, 2012	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. Part 160; 42 C.F.R. 431.306	No	Necessary without substantive public interest

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		10A NCAC 23H .0104	OWNERSHIP OF RECORDS	Transferred from 10A NCAC 21A .0404 Eff. May 1, 2012	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 431.306	No	Necessary without substantive public interest
		10A NCAC 23H .0105	SECURITY OF RECORDS	Transferred from 10A NCAC 21A .0405 Eff. May 1, 2012	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. Part 164, Subparts A and C; 42 C.F.R. 431.306; 42 U.S.C. 1320d-2(d)	No	Necessary without substantive public interest
		10A NCAC 23H .0106	LIABILITY OF PERSONS WITH ACCESS	Transferred from 10A NCAC 21A .0406 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 431.303, .304	No	Necessary with substantive public interest
		10A NCAC 23H .0107	RIGHT OF ACCESS	Transferred from 10A NCAC 21A .0407 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	5 U.S.C. 552a; 45 C.F.R. Part 5b	No	Necessary with substantive public interest
		10A NCAC 23H .0108	WITHHOLDING INFORMATION FROM THE CLIENT	Transferred from 10A NCAC 21A .0408 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	5 U.S.C. 552a; 45 C.F.R. Part 5b	No	Necessary with substantive public interest
		10A NCAC 23H .0109	PROCEDURE FOR REVIEW OF RECORDS	Transferred from 10A NCAC 21A .0409 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 164.526; 42 C.F.R. 431.306; 5 U.S.C. 552a	No	Necessary with substantive public interest
		10A NCAC 23H .0110	CONSENT FOR RELEASE	Transferred from 10A NCAC 21A .0410 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 431.304, .306	No	Necessary with substantive public interest
		10A NCAC 23H .0111	DISCLOSURE WITHOUT CLIENT CONSENT	Transferred from 10A NCAC 21A .0411 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 431.304, .306	No	Necessary with substantive public interest
		10A NCAC 23H .0112	DOCUMENTATION OF CONSENT OR DISCLOSURE	Transferred from 10A NCAC 21A .0412 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 164.528	No	Necessary with substantive public interest
		10A NCAC 23H .0113	PERSONS DESIGNATED TO DISCLOSE INFORMATION	Transferred from 10A NCAC 21A .0413 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 431.306	No	Necessary with substantive public interest