

July, 15, 2016

Via E-Mail Only

Garth K. Dunklin, Chair
N.C. Rules Review Commission
N.C. Office of Administrative Hearings
6715 Mail Service Center
Raleigh, N.C. 27699-6714

Dear Mr. Dunklin:

I am writing to you pursuant to 26 NCAC 05 .0204 to request an extension of time within which to file the Periodic Review of Existing Rules Report for the submission to the Rules Review Commission for the Division of Social Services (DSS). The DSS is hereby requesting an extension of time from the Commission based on the following:

- i. The comment period for period review of 10A NCAC 06 ended on June 24, 2016. While many of these rules fall under the authority of the Division of Aging & Adult Services, Subchapters P, R, S, T, U, V, W, and X fall under the authority of the Social Services Commission;
- ii. These subchapters contain 121 rules and 96 public comments were received;
- iii. The Social Services Commission has not had adequate time to consider the substance of the comments received.

Based upon the number of comments received and the limited time to review the comments since the close of the public comment period, and in consideration of 26 NCAC 05 .0204(a)(4), DSS requests an extension of time to submit its report.

We appreciate your consideration of this matter.

Sincerely,



Larry W. Potts

LWP/arg

Burgos, Alexander N

From: Berry, Lynne
Sent: Monday, July 18, 2016 3:05 PM
To: Thomas, Jason S
Cc: Lanier, Kathryn; Dixon, Carlotta; Black, Wayne E; Smith, Donna; nmchenry@ncdoj.gov; Green, Angela; Johnson, Joel L
Subject: Waiver Request for 10A NCAC 06

Dear Mr. Thomas,

My waiver request need only be to ask for an extension of time to file my final report.

The Social Services Commission has agreed to meet on August 10th to discuss the comments related to 10A NCAC 06 subchapters R, S and T. If the S.S. Commission approves my final report on the 10th we will not need to postpone the hearing. I will be ready for hearing at the Rules Review Commission August 18th meeting.

I have prepared an amended 0800B form to address the DAAS rules only. I am waiting for the Director's signature and will forward it to you as soon as I can.

Lynne E. Berry, J.D.
N.C. Legal Services Developer
Division of Aging & Adult Services
North Carolina Department of Health and Human Services

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Burgos, Alexander N

From: Berry, Lynne
Sent: Monday, July 18, 2016 3:39 PM
To: Thomas, Jason S
Cc: Lanier, Kathryn; Merrill, Suzanne
Subject: 10A NCAC 06 Subchapters P, R, S,T U, V, W and X

Dear Mr. Thomas,

I want to clarify that the purpose of the Social Services Commission meeting on August 10, 2016, is to approve the final report on all the subchapters under the authority of the SSC. We received multiple comments on subchapters R, S and T. However, approval for all subchapters under the rule making authority of the SSC will be addressed at the August 10th SSC meeting.

The complete list of 10A NCAC 06 subchapters under the SSC rule making authority to be addressed on August 10th includes: P, R, S, T, U, V, W and X.

The 10A NCAC 06 subchapters under the rule making authority of the Division of Aging (DAAS) are A through O and Q. Director, Suzanne Merrill has approved those subchapters. I will submit an amended 0800 form as soon as Director Merrill has the opportunity to sign the form (hopefully within the next day or two). The 0800 form has been amended to list only the subchapters under DAAS rule making authority.

Lynne E. Berry, J.D.
N.C. Legal Services Developer
Division of Aging & Adult Services
North Carolina Department of Health and Human Services

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PERIODIC REVIEW AND EXPIRATION OF EXISTING RULES REPORT FOR SUBMISSION TO THE RULES REVIEW COMMISSION

1. Rule-Making Agency: Division of Aging and Adult Services	
2. Administrative Code Chapter/Subchapter(s): 10A NCAC 06 Subchapters A to X	
3. Agency Steps: The agency made the initial classification on: 04/13/16 Report published on agency website: 04/19/16 Report published on OAH website: 04/25/16 Comment Period: 04/19/16 to 06/24/16 The agency made the final classification on: 07/13/16 The agency changed determination of rules in the report: <input checked="" type="checkbox"/> Yes. List rule citations: 10A NCAC 06Q : .0101 & .0201 10A NCAC 06R : .0101, .0102, .0201, .0302, .0304, .0305, .0401, .0403, .0501, 0502 - .0503, .0504, .0506, .0508, .0509, .0601, .0801, .0802, .0804, .0806, .0902, .0904 10A NCAC 06S : .0101, .0102, .0203, .0204, .0301, .0302, .0402, .0403, .0404, .0405, .0501, 10A NCAC 06T : .0201, Date of RRC review scheduled per Rule 26 NCAC 05 .0211: 08/18/16 <input type="checkbox"/> RRC granted agency request to extend time for review per 26 NCAC 05 .0204. New date for review:	
4. Comments: <input type="checkbox"/> Public comments and agency response are contained in the report. <input checked="" type="checkbox"/> Public comments and agency response are attached to the report as separate documents. <input type="checkbox"/> The agency received no public comments.	
5. Rule-making Coordinator: Lynne Berry Address: 693 Palmer Drive Raleigh, NC 27603 Phone: 919-621-0460 E-Mail: lynne.berry@dhhs.nc.gov Agency Contact, if any: Phone: E-Mail:	6. Signature of Agency Head* or Rule-making Coordinator:  *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Suzanne P. Merrill Title: Division of Aging & Adult Services Director Email of Agency Head: Suzanne.Merrill@dhhs.nc.gov
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC reviewed; sent to APO on: <input type="checkbox"/> RRC extended period of review. New review date: <input type="checkbox"/> RRC returned incomplete report to agency. <input type="checkbox"/> Other:	

G.S. 150B-21.3A Report for 10A NCAC 06, AGING: PROGRAM OPERATIONS

Agency - DHHS/Division of Aging

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]	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)]
SUBCHAPTER 06A – AGING: IN-HOME AIDE SERVICES FOR OLDER ADULTS	SECTION .0100 - SCOPE OF SERVICE	10A NCAC 06A .0101	SCOPE OF IN-HOME AIDE SERVICES	Eff. December 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06A .0102	DEFINITIONS	Eff. December 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06A .0103	DESCRIPTION OF IN-HOME AIDE SERVICE LEVELS	Eff. December 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06A .0104	TARGET POPULATION	Eff. December 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
	SECTION .0200 - CLIENT ELIGIBILITY	10A NCAC 06A .0201	ELIGIBILITY FOR IN-HOME AIDE SERVICES	Eff. December 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
	SECTION .0300 - SERVICE PROVISION	10A NCAC 06A .0301	SERVICE DELIVERY	Eff. December 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06A .0302	ASSESSMENT AND REASSESSMENT OF CLIENT	Eff. December 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06A .0303	IN-HOME AIDE SERVICE PLAN	Eff. December 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06A .0304	COMPETENCY REQUIREMENTS	Eff. December 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06A .0305	IN-HOME AIDE TASKS AND REQUIRED COMPETENCIES	Eff. December 1, 1991	Necessary without substantive public interest	Select One	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06A .0306	TIME FRAMES FOR COMPLETING COMPETENCY REQUIREMENTS	Eff. December 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06A .0307	AIDE SUPERVISION	Eff. December 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest

G.S. 150B-21.3A Report for 10A NCAC 06, AGING: PROGRAM OPERATIONS

Agency - DHHS/Division of Aging

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]	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)]
		10A NCAC 06A .0308	SELECTION OF AIDES	Amended Eff. May 1, 1995	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06A .0309	CLIENT RECORDS	Eff. December 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06A .0310	QUALITY ASSURANCE REQUIREMENTS	Eff. December 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
SUBCHAPTER 06B - INSTITUTIONAL RESPITE CARE SERVICE	SECTION .0100 - SCOPE OF INSTITUTIONAL RESPITE CARE	10A NCAC 06B .0101	SCOPE OF INSTITUTIONAL RESPITE CARE SERVICE	Eff. November 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
	SECTION .0200 - SERVICE PROVISION	10A NCAC 06B .0201	SCREENING OF CLIENT	Eff. November 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06B .0202	HOME VISIT	Eff. November 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06B .0203	SERVICE PLANS	Eff. November 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06B .0204	DOCUMENTATION/RECORDS FOR PERSON REQUIRING CONSTANT CARE OR SUPERVISION	Eff. November 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest

G.S. 150B-21.3A Report for 10A NCAC 06, AGING: PROGRAM OPERATIONS

Agency - DHHS/Division of Aging

Comment Period - Filled in by Agency

Date Submitted to APO - Filled in by RRC staff

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SUBCHAPTER 06C – INFORMATION AND ASSISTANCE	SECTION .0100 – SCOPE OF INFORMATION AND ASSISTANCE	10A NCAC 06C .0101	DEFINITIONS AND SCOPE OF INFORMATION AND ASSISTANCE	Amended Eff. July 18, 2002	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06C .0102	SERVICE PROVISION	Eff. July 18, 2002	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06C .0201	ELIGIBILITY FOR INFORMATION AND ASSISTANCE	Amended Eff. July 18, 2002	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06C .0202	RESOURCE FILE	Amended Eff. July 18, 2002	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06C .0203	STAFF COMPETENCE	Amended Eff. July 18, 2002	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06C .0204	DOCUMENTATION	Amended Eff. July 18, 2002	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
SUBCHAPTER 06D – CARE MANAGEMENT	SECTION .0100 – SCOPE OF SERVICE	10A NCAC 06D .0101	SCOPE OF CARE MANAGEMENT	Eff. December 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06D .0102	DEFINITIONS	Eff. December 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06D .0103	TARGET POPULATION	Eff. December 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06D .0201	CLIENT ELIGIBILITY	Eff. November 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06D .0202	SCREENING	Eff. November 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06D .0203	ASSESSMENT AND REASSESSMENT	Eff. December 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06D .0204	CARE PLANNING	Eff. December 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06D .0205	MONITORING	Eff. November 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06D .0206	DOCUMENTATION	Eff. November 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		SECTION .0200 – SERVICE PROVISION							

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Agency - DHHS/Division of Aging

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SUBCHAPTER 06E - HOUSING AND HOME IMPROVEMENT SERVICE	SECTION .0300 - GENERAL	10A NCAC 06E .0301	PURPOSE	Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 3030 (a)(4)	No	Necessary without substantive public interest	
		10A NCAC 06E .0302	DEFINITIONS	Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 3030 (a)(4)	No	Necessary without substantive public interest	
		10A NCAC 06E .0303	SERVICE POPULATIONS	Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 3030 (a)(4)	No	Necessary without substantive public interest	
		10A NCAC 06E .0304	APPLICATION FOR SERVICES	Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 3030 (a)(4)	No	Necessary without substantive public interest	
		SECTION .0400 - SERVICE PROVISION	10A NCAC 06E .0401	SERVICE PROVIDER RESPONSIBILITIES	Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 3030 (a)(4)	No	Necessary without substantive public interest
		10A NCAC 06E .0402	PROHIBITED SERVICE ACTIVITIES	Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 3030 (a)(4)	No	Necessary without substantive public interest	
		10A NCAC 06E .0403	REQUEST FOR WAIVER	Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 3030 (a)(4)	No	Necessary without substantive public interest	
SUBCHAPTER 06F - HEALTH SCREENING SERVICES	SECTION .0100 - SCOPE OF SERVICE	10A NCAC 06F .0101	SCOPE OF HEALTH SCREENING SERVICES	Eff. March 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 3030 (a)(4)	No	Necessary without substantive public interest	
		SECTION .0200 - SERVICE PROVISION	10A NCAC 06F .0201	PROVISION OF HEALTH SCREENING SERVICES	Eff. March 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 3030 (a)(4)	No	Necessary without substantive public interest
		10A NCAC 06F .0202	ELIGIBILITY FOR HEALTH SCREENING SERVICES	Eff. February 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 3030 (a)(4)	No	Necessary without substantive public interest	
		10A NCAC 06F .0203	PERSONNEL REQUIREMENTS	Eff. February 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 3030 (a)(4)	No	Necessary without substantive public interest	
SUBCHAPTER 06G - SENIOR COMPANION	SECTION .0100 - SCOPE OF SERVICE	10A NCAC 06G .0101	SCOPE OF SENIOR COMPANION	Eff. March 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest	
		10A NCAC 06G .0102	DEFINITION OF VOLUNTEER STATION	Eff. February 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest	
		SECTION .0200 - SENIOR COMPANION ELIGIBILITY	10A NCAC 06G .0201	SENIOR COMPANION ELIGIBILITY	Eff. February 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06G .0202	LETTER OF AGREEMENT	Eff. February 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest	

G.S. 150B-21.3A Report for 10A NCAC 06, AGING: PROGRAM OPERATIONS

Agency - DHHS/Division of Aging

Comment Period - Filled in by Agency

Date Submitted to APO - Filled in by RRC staff

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		10A NCAC 06G .0203	HOURS	Eff. February 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06G .0204	TRAINING AND COMPETENCY	Eff. February 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06G .0205	TERMINATION	Eff. February 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
SUBCHAPTER 06H - VOLUNTEER PROGRAM DEVELOPMENT	SECTION .0100 - SCOPE OF SERVICE	10A NCAC 06H .0101	SCOPE OF VOLUNTEER PROGRAM DEVELOPMENT SERVICE	Eff. February 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
	SECTION .0200 - SERVICE PROVISION	10A NCAC 06H .0201	NEEDS ASSESSMENT	Eff. February 1, 1994	Necessary without substantive public interest	Select One	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06H .0202	ADEQUACY OF INSURANCE	Eff. February 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06H .0203	DOCUMENTATION	Eff. February 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
SUBCHAPTER 06I - HOME HEALTH SERVICES	SECTION .0100 - SCOPE OF SERVICES	10A NCAC 06I .0101	SCOPE OF HOME CARE SERVICES	Eff. April 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06I .0102	DESCRIPTION OF HOME CARE SERVICES	Eff. March 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
	SECTION .0200 - SERVICE PROVISION	10A NCAC 06I .0201	ELIGIBILITY FOR HOME CARE SERVICES	Eff. March 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06I .0202	SERVICE DELIVERY	Eff. March 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06I .0203	QUALITY ASSURANCE	Eff. March 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
SUBCHAPTER 06J - MULTIPURPOSE SENIOR CENTERS	SECTION .0100 - GENERAL PROVISIONS	10A NCAC 06J .0101	MULTIPURPOSE SENIOR CENTER OPERATING REQUIREMENTS	Eff. October 1, 1980	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321.53 ©	No	Necessary without substantive public interest
SUBCHAPTER 06K - NUTRITION SERVICES	SECTION .0100 - SCOPE OF SERVICE	10A NCAC 06K .0101	DEFINITION OF CONGREGATE AND HOME-DELIVERED MEALS	Amended Eff. November 1, 1993	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
	SECTION .0200 - SERVICE PROVISION	10A NCAC 06K .0201	STAFFING	Amended Eff. July 1, 2003	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest

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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)]
		10A NCAC 06K .0202	FOOD PREPARATION AND SAFETY REQUIREMENTS	Amended Eff. July 1, 2003	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06K .0203	MENU PLANNING REQUIREMENTS	Amended Eff. July 1, 2003	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06K .0204	ELIGIBILITY FOR SERVICE	Amended Eff. July 1, 2003	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06K .0205	ADMINISTRATION REQUIREMENTS	Amended Eff. July 1, 2003	Necessary with substantive public interest	Select One	45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06K .0206	PROHIBITED ACTIVITIES	Amended Eff. July 1, 2003	Necessary without substantive public interest	Select One	45 C.F.R. 1321 & 42 U.S.C.3027	No	Necessary without substantive public interest
SUBCHAPTER 06P – ADMINISTRATION OF ADULT DAY CARE SERVICES	SECTION .0100 – SERVICE DESCRIPTION: DEFINITION OF TERMS	10A NCAC 06P .0101	DEFINITION OF TERMS	Amended Eff. January 1, 1986	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321 & 42 U.S.C.1397	No	Necessary without substantive public interest
	SECTION .0200 - CLIENT ELIGIBILITY: FEES AND CHARGES	10A NCAC 06P .0201	LIMITATIONS	Amended Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321 & 42 U.S.C.1397	No	Necessary without substantive public interest
	SECTION .0300 - PAYMENT METHODS FOR DAY CARE CENTERS/HOMES	10A NCAC 06P .0301	GENERAL POLICY	Amended Eff. March 1, 1992	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321 & 42 U.S.C.1397	No	Necessary without substantive public interest
	SECTION .0400 - ROLE RESPONSIBILITIES IN PROGRAM CERTIFICATIONS	10A NCAC 06P .0401	STATE DIVISION OF AGING AND ADULT SERVICES RESPONSIBILITIES	Amended Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321 & 42 U.S.C.1397	No	Necessary without substantive public interest
		10A NCAC 06P .0402	COUNTY DEPARTMENT OF SOCIAL SERVICES RESPONSIBILITY	Amended Eff. July 1, 1984	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321 & 42 U.S.C.1397	No	Necessary without substantive public interest
	SECTION .0500 – PROGRAM CERTIFICATION	10A NCAC 06P .0501	DAY CARE PROGRAMS SERVING MORE THAN ONE COUNTY	Amended Eff. July 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321 & 42 U.S.C.1397	No	Necessary without substantive public interest
		10A NCAC 06P .0502	THE DSS- OPERATED ADULT DAY CARE CENTER	Amended Eff. July 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321 & 42 U.S.C.1397	No	Necessary without substantive public interest
SUBCHAPTER 06Q - ADULT DAY CARE	SECTION .0100 - SCOPE OF ADULT DAY CARE	10A NCAC 06Q .0101	ADULT DAY CARE STANDARDS	Eff. July 1, 1992	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	Yes	Necessary with substantive public interest
	SECTION .0200 - REQUIREMENTS	10A NCAC 06Q .0201	MAXIMUM REIMBURSEMENT RATES	Eff. July 1, 1992	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R. 1321	Yes	Necessary with substantive public interest
SUBCHAPTER 06R - ADULT DAY CARE STANDARDS FOR CERTIFICATION	SECTION .0100 - INTRODUCTION	10A NCAC 06R .0101	CERTIFICATION REQUIREMENT	Amended Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	Yes	Necessary with substantive public interest

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		10A NCAC 06R .0102	CORRECTIVE ACTION	Amended Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	Yes	Necessary with substantive public interest
	SECTION .0200 - DEFINITION OF TERMS	10A NCAC 06R .0201	DEFINITIONS	Amended Eff. July 1, 2007	Necessary with substantive public interest	Select One	45 C.F.R.1321	Yes	Necessary with substantive public interest
	SECTION .0300 - ADMINISTRATION	10A NCAC 06R .0301	GOVERNING BODY	Amended Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	No	Necessary without substantive public interest
		10A NCAC 06R .0302	PROGRAM GOALS	Amended Eff. July 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	Yes	Necessary with substantive public interest
		10A NCAC 06R .0303	AGREEMENTS	Amended Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	No	Necessary without substantive public interest
		10A NCAC 06R .0304	INSURANCE	Eff. July 1, 1978	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	Yes	Necessary with substantive public interest
		10A NCAC 06R .0305	PERSONNEL: CENTERS: HOMES WITH OPERATOR AND STAFF	Amended Eff. September 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	Yes	Necessary with substantive public interest
		10A NCAC 06R .0306	PERSONNEL: DAY CARE HOMES: ONLY STAFF PERSON IS OPERATOR	Amended Eff. September 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	No	Necessary without substantive public interest
		10A NCAC 06R .0307	PERSONNEL: VOLUNTEERS	Eff. July 1, 1978	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	No	Necessary without substantive public interest
	SECTION .0400 - THE FACILITY	10A NCAC 06R .0401	GENERAL REQUIREMENTS	Amended Eff. September 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	Yes	Necessary with substantive public interest
		10A NCAC 06R .0402	BUILDING CONSTRUCTION	Amended Eff. September 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	No	Necessary without substantive public interest
		10A NCAC 06R .0403	EQUIPMENT AND FURNISHINGS	Amended Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	Yes	Necessary with substantive public interest
	SECTION .0500 - PROGRAM OPERATION	10A NCAC 06R .0501	PLANNING PROGRAM ACTIVITIES	Amended Eff. February 1, 2008	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	Yes	Necessary with substantive public interest
		10A NCAC 06R .0502	NUTRITION	Amended Eff. February 1, 2008	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	Yes	Necessary with substantive public interest
		10A NCAC 06R .0503	TRANSPORTATION	Amended Eff. February 1, 2008	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	Yes	Necessary with substantive public interest

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		10A NCAC 06R .0504	EMERGENCIES AND FIRST AID	Amended Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	Yes	Necessary with substantive public interest
		10A NCAC 06R .0505	MEDICATIONS	Amended Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	No	Necessary without substantive public interest
		10A NCAC 06R .0506	HOURS AND DAYS OF OPERATION	Amended Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	Yes	Necessary with substantive public interest
		10A NCAC 06R .0507	AVAILABILITY AND ACCESSIBILITY OF PROGRAM POLICIES	Amended Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	No	Necessary without substantive public interest
		10A NCAC 06R .0508	RECORDS	Amended Eff. February 1, 2008	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	Yes	Necessary with substantive public interest
		10A NCAC 06R .0509	PROGRAM EVALUATION	Amended Eff. January 1, 1981	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	Yes	Necessary with substantive public interest
		10A NCAC 06R .0510	DAY CARE PROGRAMS IN MULTI-USE FACILITIES	Amended Eff. July 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	No	Necessary without substantive public interest
	SECTION .0600 – CERTIFICATION PROCEDURE	10A NCAC 06R .0601	PROCEDURE	Amended Eff. September 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	Yes	Necessary with substantive public interest
		10A NCAC 06R .0602	CHANGES IN PERSONNEL	Amended Eff. July 1, 2000	Necessary without substantive public interest	Select One	45 C.F.R.1321	No	Necessary without substantive public interest
	SECTION .0700 - CONSTRUCTION REQUIREMENTS FOR DAY CARE HOME	10A NCAC 06R .0701	RESIDENTIAL BUILDING CODE REQUIREMENTS	Amended Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	No	Necessary without substantive public interest
		10A NCAC 06R .0702	FIRE AND SAFETY REQUIREMENTS	Amended Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	No	Necessary without substantive public interest
		10A NCAC 06R .0703	OTHER	Amended Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	No	Necessary without substantive public interest
	SECTION .0800 - CERTIFICATION INFORMATION	10A NCAC 06R .0801	THE CERTIFICATE	Amended Eff. July 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	Yes	Necessary with substantive public interest
		10A NCAC 06R .0802	PROVISIONAL CERTIFICATE	Amended Eff. July 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	Yes	Necessary with substantive public interest
		10A NCAC 06R .0803	TERMINATION OF CERTIFICATION	Amended Eff. July 1, 2000	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	No	Necessary without substantive public interest

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		10A NCAC 06R .0804	DENIAL OR REVOCATION OF CERTIFICATE	Amended Eff. July 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	Yes	Necessary with substantive public interest
		10A NCAC 06R .0805	PENALTY	Amended Eff. July 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	No	Necessary without substantive public interest
		10A NCAC 06R .0806	PROCEDURE FOR APPEAL	Amended Eff. July 1, 2000	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	Yes	Necessary with substantive public interest
	SECTION .0900 - SPECIAL CARE FOR PERSONS WITH ALZHEIMER'S DISEASE OR OTHER DEMENTIAS, MENTAL HEALTH DISABILITIES OR OTHER SPECIAL NEEDS DISEASES OR CONDITIONS IN ADULT DAY CARE	10A NCAC 06R .0901	DISCLOSURE	Eff. July 17, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	No	Necessary without substantive public interest
		10A NCAC 06R .0902	POLICIES AND PROCEDURES	Eff. July 17, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	Yes	Necessary with substantive public interest
		10A NCAC 06R .0903	THE FACILITY – SPECIAL CARE SERVICES	Eff. July 17, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	No	Necessary without substantive public interest
		10A NCAC 06R .0904	ENROLLMENT – SPECIAL CARE SERVICES	Eff. July 17, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	Yes	Necessary with substantive public interest
		10A NCAC 06R .0905	INDIVIDUAL SERVICE PLANS – SPECIAL CARE SERVICES	Eff. July 17, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	No	Necessary without substantive public interest
		10A NCAC 06R .0906	PROGRAM PLAN – SPECIAL CARE SERVICES	Eff. July 17, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	No	Necessary without substantive public interest
		10A NCAC 06R .0907	STAFF ORIENTATION AND TRAINING – SPECIAL CARE SERVICES	Eff. July 17, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	No	Necessary without substantive public interest
		10A NCAC 06R .0908	REQUIREMENTS FOR SPECIAL CARE SERVICES UNIT	Eff. July 17, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 C.F.R.1321	No	Necessary without substantive public interest
SUBCHAPTER 06S – ADULT DAY HEALTH STANDARDS FOR CERTIFICATION	SECTION .0100 - INTRODUCTION AND DEFINITIONS	10A NCAC 06S .0101	INTRODUCTORY STATEMENT	Amended Eff. July 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1397 & 45 C.F.R. 1321	Yes	Necessary with substantive public interest

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		10A NCAC 06S .0102	DEFINITIONS	Amended Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1397 & 45 C.F.R. 1321	Yes	Necessary with substantive public interest
	SECTION .0200 - ADMINISTRATION	10A NCAC 06S .0201	ADMINISTRATION	Eff. September 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1397 & 45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06S .0202	PROGRAM GOALS	Eff. September 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1397 & 45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06S .0203	STAFFING PATTERN	Amended Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1397 & 45 C.F.R. 1321	Yes	Necessary with substantive public interest
		10A NCAC 06S .0204	STAFF REQUIREMENTS	Amended Eff. September 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1397 & 45 C.F.R. 1321	Yes	Necessary with substantive public interest
	SECTION .0300 - FACILITY REQUIREMENTS FOR CENTERS AND HOMES	10A NCAC 06S .0301	REQUIREMENTS	Amended Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1397 & 45 C.F.R. 1321	Yes	Necessary with substantive public interest
		10A NCAC 06S .0302	CONSTRUCTION REQUIREMENTS FOR DAY HEALTH HOMES	Eff. September 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1397 & 45 C.F.R. 1321	Yes	Necessary with substantive public interest
	SECTION .0400 - PROGRAM OPERATION	10A NCAC 06S .0401	PROGRAM OPERATION REQUIREMENTS	Eff. September 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1397 & 45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06S .0402	ADDITIONAL ENROLLMENT AND PARTICIPATION REQUIREMENTS	Amended Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1397 & 45 C.F.R. 1321	Yes	Necessary with substantive public interest
		10A NCAC 06S .0403	HEALTH AND PERSONAL CARE SERVICES	Amended Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1397 & 45 C.F.R. 1321	Yes	Necessary with substantive public interest
		10A NCAC 06S .0404	TRANSPORTATION	Amended Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1397 & 45 C.F.R. 1321	Yes	Necessary with substantive public interest
		10A NCAC 06S .0405	EMERGENCIES AND FIRST AID	Amended Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1397 & 45 C.F.R. 1321	Yes	Necessary with substantive public interest
	SECTION .0500 - CERTIFICATION INFORMATION	10A NCAC 06S .0501	PROCEDURE	Amended Eff. July 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1397 & 45 C.F.R. 1321	Yes	Necessary with substantive public interest
		10A NCAC 06S .0502	CHANGES IN PERSONNEL	Eff. March 1, 1992	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1397 & 45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06S .0503	THE CERTIFICATE	Eff. March 1, 1992	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1397 & 45 C.F.R. 1321	No	Necessary without substantive public interest

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		10A NCAC 06S .0504	PROVISIONAL CERTIFICATE	Eff. March 1, 1992	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1397 & 45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06S .0505	TERMINATION OF CERTIFICATION	Eff. March 1, 1992	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1397 & 45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06S .0506	DENIAL OR REVOCATION OF CERTIFICATE	Eff. March 1, 1992	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1397 & 45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06S .0507	PENALTY	Eff. March 1, 1992	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1397 & 45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06S .0508	PROCEDURE FOR APPEAL	Eff. March 1, 1992	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1397 & 45 C.F.R. 1321	Yes	Necessary with substantive public interest
		10A NCAC 06S .0509	CORRECTIVE ACTION	Eff. March 1, 1992	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1397 & 45 C.F.R. 1321	No	Necessary without substantive public interest
	SECTION .0600 - SPECIAL CARE FOR PERSONS WITH ALZHEIMER'S DISEASE OR RELATED DISORDERS, MENTAL HEALTH DISABILITIES, OR OTHER SPECIAL NEEDS DISEASES OR CONDITIONS IN ADULT DAY CARE CENTERS	10A NCAC 06S .0601	DISCLOSURE	Eff. July 17, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1397 & 45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06S .0602	THE FACILITY – SPECIAL CARE SERVICES	Eff. July 17, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1397 & 45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06S .0603	ENROLLMENT – SPECIAL CARE SERVICES	Eff. July 17, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1397 & 45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06S .0604	INDIVIDUAL SERVICE PLANS – SPECIAL CARE SERVICES	Eff. July 17, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1397 & 45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06S .0605	PROGRAM PLAN – SPECIAL CARE SERVICES	Eff. July 17, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1397 & 45 C.F.R. 1321	No	Necessary without substantive public interest
		10A NCAC 06S .0606	STAFF ORIENTATION AND TRAINING – SPECIAL CARE SERVICES	Eff. July 17, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1397 & 45 C.F.R. 1321	No	Necessary without substantive public interest

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		10A NCAC 06S .0607	REQUIREMENTS FOR SPECIAL CARE SERVICES UNIT	Eff. July 17, 2000	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1397 & 45 C.F.R. 1321	No	Necessary without substantive public interest
SUBCHAPTER 06T – STATE ADULT DAY CARE FUNDING	SECTION .0200 – STATE ADULT DAY CARE FUND	10A NCAC 06T .0201	NATURE AND PURPOSE OF STATE ADULT DAY CARE FUND	Amended Eff. March 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	Yes	Necessary with substantive public interest
		10A NCAC 06T .0202	DEFINITION OF SERVICE	Amended Eff. July 1, 1983	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
		10A NCAC 06T .0203	ELIGIBILITY	Amended Eff. July 1, 1983	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
		10A NCAC 06T .0204	COST-SHARING	Amended Eff. March 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
		10A NCAC 06T .0205	PROGRAM POLICIES AND STANDARDS	Amended Eff. November 1, 1984	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
		10A NCAC 06T .0206	ALLOCATION	Eff. January 1, 1982	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
SUBCHAPTER 06U – STATE IN-HOME SERVICES FUND	SECTION .0100 – STATE IN-HOME SERVICES FUND	10A NCAC 06U .0101	NATURE AND PURPOSE OF STATE IN-HOME SERVICES FUND	Amended Eff. December 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
		10A NCAC 06U .0102	DEFINITIONS OF SERVICES	Amended Eff. December 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
		10A NCAC 06U .0103	ELIGIBILITY	Amended Eff. December 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
		10A NCAC 06U .0104	COST-SHARING	Amended Eff. March 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
		10A NCAC 06U .0105	PROGRAM POLICIES AND STANDARDS	Amended Eff. December 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
		10A NCAC 06U .0106	ALLOCATION	Amended Eff. October 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
SUBCHAPTER 06V – STATE IN-HOME SERVICES FUND: PREPARATION and DELIVERY OF MEALS	SECTION .0100 – SERVICE DESCRIPTION	10A NCAC 06V .0101	REIMBURSABLE COST ITEMS	Amended Eff. July 1, 1984	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
	SECTION .0200 – DEFINITIONS	10A NCAC 06V .0201	DEFINITIONS	Amended Eff. July 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest

G.S. 150B-21.3A Report for 10A NCAC 06, AGING: PROGRAM OPERATIONS

Agency - DHHS/Division of Aging

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]	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)]
	SECTION .0300 - METHODS OF SERVICE PROVISION	10A NCAC 06V .0301	GENERAL POLICY	Amended Eff. July 1, 1984	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
	SECTION .0400 - MAXIMUM PURCHASE AND DELIVERY RATES: FEES: AND VOLUNTARY CONTRIBUTIONS	10A NCAC 06V .0401	MAXIMUM PURCHASE AND DELIVERY RATES	Amended Eff. July 1, 1984	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
	SECTION .0500 - ADDITIONAL REQUIREMENTS	10A NCAC 06V .0501	HEALTH AND SAFETY REQUIREMENTS	Readopted Eff. October 31, 1977	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
		10A NCAC 06V .0502	PROFESSIONAL CONSULTATION REQUIRED	Amended Eff. July 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
SUBCHAPTER 06W - STATE IN-HOME SERVICES FUND: HOUSING AND HOME IMPROVEMENT SERVICES	SECTION .0100 - PROGRAM REQUIREMENTS	10A NCAC 06W .0104	NATURE AND PURPOSE	Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
		10A NCAC 06W .0105	DEFINITIONS	Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
		10A NCAC 06W .0106	SERVICE POPULATIONS	Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
		10A NCAC 06W .0107	APPLICATION FOR SERVICES	Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
		10A NCAC 06W .0108	SERVICE PROVIDER RESPONSIBILITIES	Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
		10A NCAC 06W .0109	PROHIBITED ACTIVITIES	Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
		10A NCAC 06W .0110	REQUEST FOR WAIVER	Eff. July 1, 2007	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
SUBCHAPTER 06X - STATE IN-HOME SERVICES FUND: IN-HOME AIDE SERVICES	SECTION .0100 - COORDINATION	10A NCAC 06X .0101	IN-HOME AIDE SERVICES FOR OLDER ADULTS	Eff. December 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
	SECTION .0200 - PROGRAM REQUIREMENTS	10A NCAC 06X .0201	IN-HOME AIDE SERVICES: ADULTS, CHILDREN AND THEIR FAMILIES	Eff. December 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest

G.S. 150B-21.3A Report for 10A NCAC 06, AGING: PROGRAM OPERATIONS

Agency - DHHS/Division of Aging

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]	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)]
		10A NCAC 06X .0202	DEFINITIONS	Eff. December 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
		10A NCAC 06X .0203	DESCRIPTION OF IN-HOME AIDE SERVICE LEVELS FOR ADULTS	Eff. December 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
		10A NCAC 06X .0204	DESCRIPTION OF IN-HOME AIDE LEVELS FOR CHILDREN/FAMILIES	Eff. December 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
		10A NCAC 06X .0205	SERVICE DELIVERY	Eff. December 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
		10A NCAC 06X .0206	ASSESSMENT AND REASSESSMENTS	Amended Eff. September 1, 1993	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
		10A NCAC 06X .0207	IN-HOME AIDE SERVICE PLAN	Amended Eff. September 1, 1993	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
		10A NCAC 06X .0208	COMPETENCY REQUIREMENTS	Eff. December 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
		10A NCAC 06X .0209	TIME FRAMES FOR COMPLETING COMPETENCY REQUIREMENTS	Eff. December 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
		10A NCAC 06X .0210	AIDE SUPERVISION	Amended Eff. September 1, 1993	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
		10A NCAC 06X .0211	SELECTION OF AIDES	Amended Eff. December 1, 1995	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
		10A NCAC 06X .0212	CLIENT RECORDS	Eff. December 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
		10A NCAC 06X .0213	QUALITY ASSURANCE REQUIREMENTS	Eff. December 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest
		10A NCAC 06X .0214	METHODS OF SERVICE PROVISION	Eff. December 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C.1397 & 45 C.F.R.Part 96	No	Necessary without substantive public interest

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
2	SCOPE OF IN-HOME AIDE SERVICES	10A NCAC 06A .0101	20-Apr-16	Erin	Glendening	DHSR	erin.glendening@dhhs.nc.gov	This is a test of the system.	N/A	
3	ADULT DAY CARE STANDARDS	10A NCAC 06Q .0101	20-Jun-16	Carrie	Cameron		ccameron113@gmail.com	The reimbursement rates are not sustainable and should be Increased! Please!	DAAS is working with the NC Adult Day Services Association (NCADSA) to	
4	ADULT DAY CARE STANDARDS	10A NCAC 06Q .0101	24-Jun-16	Marianne	Ratcliffe	Piedmont Health SeniorCare	ratclifm@piedmonthealth.org	recommend creation of PACE Adult Day Centers standards that reflect the realities of PACE as follows on my comments in pertinent rules.	Program. under the authority of the Division of Medical Assistance (DMA). When the NC PACE program was developed in 2014 it was	
5	MAXIMUM REIMBURSEMENT RATES	10A NCAC 06Q .0201	16-Jun-16			The Wright's Center, Inc.	wrightsboard@gmail.com	The financial stability of many adult day service centers is in jeopardy because we are restricted to a HCCBG reimbursement rate that does not adequately cover the actual cost of the services provided. When completing the 2016-17 Service Cost Computation Worksheet (SCCW) for next year, it is quite evident that my expenses are more than the revenue I anticipate receiving. Therefore, as a non-profit we are required to raise funds as best we can to balance our budget. According to the SCCW, the average cost of one day of adult day health service is \$135.24; however, the center only receives \$40 from either County served (Nash and Edgecombe). The SCCW rate for day care is \$111.47, yet we only receive \$33.01 from HCCBG reimbursement for either county. We serve a population that is indigent, on fixed incomes and without the expensive transportation we provide to them at a minimal cost of \$6 (in town) or \$7 (out of town), round trip per day, many would not be able to attend the program. Our transportation cost is over \$10,000 per month, yet we only collect about \$500 per month to cover this cost from participants. We definitely need a rate increase to be able to continue to operate in our community. Thank you for the opportunity to share my comments.		

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
6	MAXIMUM REIMBURSEMENT RATES	10A NCAC 06Q .0201	16-Jun-16	Nate	Huggins	Blessed Assurance Adult Day and Health Care Svcs, Inc.	Nate@blessedadultcare.org	<p>reimbursement rate is \$40 per day with a \$3 per day transportation reimbursement.</p> <p>2. The \$40 per day service reimbursement needs to be changed to at least \$60 to compete with the minimum daily cost of doing business. Currently, the Veteran's Administration's service reimbursement rate begins at \$60 per day and goes beyond \$100 per day in some states.</p> <p>3. The \$3 per day transportation reimbursement is not enough to purchase 1 gallon of premium fuel and certainly doesn't cover the fuel and other overhead related cost of transporting a mentally and physically challenged adult 40 miles round trip from their home to the Adult Day Care Center and back. This reimbursement should be increased to a minimum of \$20 per day. Currently, the Veteran's Administration's reimbursement rate begins at \$30 per day and goes beyond \$50 per day in some states.</p> <p>Nate Huggins, CEO Blessed Assurance Adult Day and Health Care Svcs, Inc. 13001 Idlewild Road</p>	DAAS is working with the NCADSA to address this issue	

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
7	MAXIMUM REIMBURSEMENT RATES	10A NCAC 06Q .0201	21-Jun-16	Teresa	Johnson	NC Adult Day Services Association	ncaduldayservices@gmail.com	<p>day care and adult day health are the only services for which maximum rates of payment are not market-based and are set by a regulatory entity. Remove the maximum reimbursement rates for HCCBG and State Adult Day Care Fund adult day care and adult day health so adult day centers can operate more effectively while allowing for differences such as in service levels, hours of operation, regional economies.</p> <p>-Adult day centers share the same focus as other HCCBG services.</p> <p>-Removing the maximum rates will not require an increase in funding; it will simply allow the rates to be set at the local level just like all of the other HCCBG funded services.</p> <p>-The current system makes it extremely difficult to increase reimbursement rates. The last rate increase for adult day centers for HCCBG and SADCF was in 2006. This established a maximum reimbursement rate of \$33.07 per unit/day of adult day care and \$40 per unit/day of adult day health.</p> <p>-The low reimbursement rates place significant challenges on the sustainability of existing adult day centers and severely limit growth of this service sector in NC.</p> <p>-Lack of adult day centers limits affordable care options for frail and impaired adults and their</p>	DAAS is working with the NCADSA to address this issue	
8	MAXIMUM REIMBURSEMENT RATES	10A NCAC 06Q .0201	24-Jun-16	Marianne	Ratcliffe	Piedmont Health SeniorCare	ratclifm@piedmonthealth.org	<p>Not applicable to PACE. PACE receives no reimbursement for the provision of adult day services. PACE is a distinct and separate program which receives capitated payments from Medicare and Medicaid.</p>	N/A this issue is not related to the provision of PACE	

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
9	MAXIMUM REIMBURSEMENT RATES	10A NCAC 06Q .0201	24-Jun-16	Michael	Boles	Resources for Seniors, Inc.	michaelb@rfsnc.org	<p>Please remove the maximum reimbursement rates through HCCBG and SADC for adult day care and adult day health. Locally developed calculated rates will allow adult day centers to operate more effectively while allowing for differences such as in service levels, hours of operation, and regional economies. Of all the services eligible for Home and Community Care Block Grant funding, adult day care and adult day health care are the only services for which maximum rates of payment are not market-based and are set by a regulatory entity. The current reimbursement rates of \$33.07/day for social ADS and \$40.00/day for health ADS place significant challenges on the sustainability of existing adult day centers and severely limit growth of this service sector in NC. Continued low reimbursement rates may lead to a lack of adult day centers, limiting affordable care options for frail and impaired adults and their caregivers, potentially leading to premature institutionalization of adults that will drive up costs for taxpayers.</p> <p>In March of 2015, the North Carolina Adult Day Services Association (NCADSA) extended an invitation to all adult day service providers in our state to participate in a Cost Analysis Project by completing a basic cost analysis spreadsheet based on their most recently completed fiscal year. Follow</p>	DAAS is working with the NCADSA to address this issue	

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
10	CERTIFICATION REQUIREMENT	10A NCAC 06R .0101	22-Jun-16	Linda	Shaw	NC PACE Association	linda.shaw@ncpace.org	Requirement is unnecessary and duplicative for PACE. Page ii of the DHHS Adult Day Care and Adult Day Health Standards for Certification states that 'The standards which follow for adult day care and adult day health are not intended as standards for day hospitals, partial hospital programs or other medically oriented day services.' PACE is a Medicare (and Medicaid) program delivering comprehensive medical care. PACE is the full-risk insurer and provider of all medical care to its patients. Most of the services are delivered at the PACE facility, which includes a 'day center' as just one component of the all-inclusive health care provided by PACE. PACE clearly fits into the referenced medical exclusion. Additionally, all aspects of PACE are regulated and monitored by both the federal government (CMS) and by the NC Division of Medical Assistance, so additional regulation as an ADHC is duplicative and unnecessary.	Page ii of the North Carolina Adult Day Care/Day Health Services Standards for Certification is the preface to the Standards and is not a rule. Please refer to the September 15, 2014 PACE Strategic Plan Report and to the Federal Registry 42 CFR 460. DAAS defers to DMA on this item.	
11	CERTIFICATION REQUIREMENT	10A NCAC 06R .0101	24-Jun-16					Requirement is unnecessary and duplicative for PACE. Page ii of the DHHS Adult Day Care and Adult Day Health Standards for Certification states that 'The standards which follow for adult day care and adult day health are not intended as standards for day hospitals, partial hospital programs or other medically oriented day services.' PACE is a Medicare (and Medicaid) program delivering comprehensive medical care. PACE is the full-risk insurer and provider of all medical care to its patients. Most of the services are delivered at the PACE facility, which includes a 'day center' as just one component of the all-inclusive health care provided by PACE. PACE clearly fits into the referenced medical exclusion. Additionally, all aspects of PACE are regulated and monitored by both the federal government (CMS) and by the NC Division of Medical Assistance, so additional regulation as an ADHC is duplicative and unnecessary.	This is a duplicate of the above item.	

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
12	CORRECTIVE ACTION	10A NCAC 06R .0102	22-Jun-16					Duplicative of existing DMA and CMS monitoring. Recommend elimination for PACE. Alternatively, create PACE Adult Day Center set of standards for monitoring.	Please refer to the September 15, 2014 PACE Strategic Plan Report for PACE programs.	
13	CORRECTIVE ACTION	10A NCAC 06R .0102	24-Jun-16					Duplicative of existing DMA and CMS monitoring. Recommend elimination for PACE. Alternatively, create PACE Adult Day Center set of standards for monitoring.	Duplication of above comment.	
14	DEFINITIONS	10A NCAC 06R .0201	21-Jun-16	Teresa	Johnson	NC Adult Day Services Association	ncaduldayservices@gmail.com	25. Owner: Not-for-profit centers do not have owners; rather, they have a board of directors. Suggest: person responsible for management of a for profit day care home or day health home.	DAAS unsure of what is meant by this comment as the rule already states the suggested language.	
15	DEFINITIONS	10A NCAC 06R .0201	21-Jun-16	Teresa	Johnson	NC Adult Day Services Association	ncaduldayservices@gmail.com	30. Program Director: Although the duties are comparable, the title is not consistent with PACE programs which are also monitored by DAAS. In PACE the Program Director could be titled Executive Director and or CEO; however, ADH regulations require use of the title Program Director. This label also causes confusion and problems in adult day programs where there is a parent company that often has other titles. Consideration should be given to being flexible on 'the title' and more focused on 'the duties.' Add Health Care Coordinator definition. Add PACE definition.	1). For the comments related to PACE programs, please refer to the September 15, 2014 PACE Strategic Plan Report. 2). For the ADC/ADH programs, the current rule allows for flexibility, and focuses on the required duties, functions and qualifications of the Program Director position. 3). The current rules outline the requirements and duties of the Health Care Coordinator. 4). DAAS defers to DMA on this item.	

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
16	DEFINITIONS	10A NCAC 06R .0201	22-Jun-16					As indicated throughout these comments, PACE is a distinct program already heavily monitored by CMS and DMA, rendering state certification as an ADHC unnecessary and duplicative. If certification continues, however, a definition should be added for the 'PACE adult day center' and rules and requirements throughout should be amended or deleted to reflect the important distinction. Existing definitions would also need to change to be relevant to PACE. The capacity definition based on square footage does not apply because all PACE participants do not attend the adult day health center. The definition of Special Care services also does not apply to PACE programs.	Please refer to the September 15, 2014 PACE Strategic Plan Report for PACE programs and DAAS defers to DMA as DMA is the administering agency for PACE.	
17	DEFINITIONS	10A NCAC 06R .0201	24-Jun-16					As indicated throughout these comments, PACE is a distinct program already heavily monitored by CMS and DMA, rendering state certification as an ADHC unnecessary and duplicative. If certification continues, however, a definition should be added for the 'PACE adult day center' and rules and requirements throughout should be amended or deleted to reflect the important distinction. Existing definitions would also need to change to be relevant to PACE. The capacity definition based on square footage does not apply because all PACE participants do not attend the adult day health center. The definition of Special Care services also does not apply to PACE programs.	This is a duplicate of the above item.	

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
18	DEFINITIONS	10A NCAC 06R .0201	24-Jun-16					As indicated throughout these comments, PACE is a distinct program already heavily monitored by CMS and DMA, rendering state certification as an ADHC unnecessary and duplicative. If certification continues, however, a definition should be added for the 'PACE adult day center' and rules and requirements throughout should be amended or deleted to reflect the important distinction. Existing definitions would also need to change to be relevant to PACE. The capacity definition based on square footage does not apply because all PACE participants do not attend the adult day health center. The definition of Special Care services also does not apply to PACE programs.	This is a duplicate of the above item.	
19	DEFINITIONS	10A NCAC 06R .0201	24-Jun-16					Repeat of comments on 10A NCAC 06R .0201: As indicated throughout these comments, PACE is a distinct program already heavily monitored by CMS and DMA, rendering state certification as an ADHC unnecessary and duplicative. If certification continues, however, a definition should be added for the 'PACE adult day center' and rules and requirements throughout should be amended or deleted to reflect the important distinction. Existing definitions would also need to change to be relevant to PACE. The capacity definition based on square footage does not apply because all PACE participants do not attend the adult day health center. The definition of Special Care services also does not apply to PACE programs.	Duplication of above comment.	
20	PROGRAM GOALS	10A NCAC 06R .0302	22-Jun-16					Goals for PACE should be consistent with the mission, vision and values of PACE, which is a considerably more comprehensive medical and social model of care.	The current rule allows flexibility regarding the program's goals. Please refer to the September 15, 2014 PACE Strategic Plan Report for PACE programs.	

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
21	PROGRAM GOALS	10A NCAC 06R .0302	24-Jun-16					Goals for PACE should be consistent with the mission, vision and values of PACE, which is a considerably more comprehensive medical and social model of care.	This is a duplicate of the above item.	
22	INSURANCE	10A NCAC 06R .0304	22-Jun-16					Adequate liability insurance coverage should also include professional staff	DAAS is not sure what is meant by "professional staff." Is this a reference to licensed or non-licensed or both? However, defers to DMA as the Current ADC/ADH rules only require one licensed professional.	
23	INSURANCE	10A NCAC 06R .0304	24-Jun-16					Adequate liability insurance coverage should also include professional staff	Duplication of above comment.	
24	PERSONNEL: CENTERS: HOMES WITH OPERATOR AND STAFF	10A NCAC 06R .0305	21-Jun-16	Teresa	Johnson	NC Adult Day Services Association	ncaduldayservic es@gmail.com	(4) There shall be a written job description for each position, full-time or part-time. The job description shall specify qualifications of education and experience; to whom employee is responsible; duties and responsibilities; and salary range. Requirement to include salary range should be eliminated. Job descriptions should not be required to have salary ranges. There is inconsistency in how this rule is being applied by monitors. The numbers are often meaningless.	Although DAAS has scheduled routine meetings with NCADSA, this concern was not yet expressed by the association. DAAS will research this and review that rule.	
25	PERSONNEL: CENTERS: HOMES WITH OPERATOR AND STAFF	10A NCAC 06R .0305	21-Jun-16	Teresa	Johnson	NC Adult Day Services Association	ncaduldayservic es@gmail.com	(5) References, including former employers, shall be required in recruitment of staff. This rule is problematic because most employers will only provide employment verification rather than a reference. Change to include employment verification.	During routine meetings with NCADSA, this comment was not yet expressed by the association to DAAS staff as a concern. DAAS will research this comment and review that rule.	

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
26	PERSONNEL: CENTERS: HOMES WITH OPERATOR AND STAFF	10A NCAC 06R .0305	21-Jun-16	Teresa	Johnson	NC Adult Day Services Association	ncaduldayservic es@gmail.com	<p>The program director shall have the authority and responsibility for the management of activities and direction of staff to ensure that activities and services are provided in accordance with established program policies.</p> <p>Allow flexibility in the title to use Program Director as the title. In PACE the Program Director could be titled Executive Director and or CEO; however, ADH regulations require use of the title Program Director. Focus should be given on ensuring that the duties are addressed rather than a rigid title. Adult day centers that are part of larger organizations may be locked in to titles other than 'Program Director.'</p>	Duplication of previous comment	

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
27	PERSONNEL: CENTERS: HOMES WITH OPERATOR AND STAFF	10A NCAC 06R .0305	22-Jun-16					<p>PACE employees do not live in the PACE centers. Eliminate section (d) requirement for job descriptions to include salary ranges. Eliminate reference requirement due to employment laws which only allow for limited reference information such as dates of employment and title. It is optional for previous employers to give rehire eligibility Ratios are applicable for Adult Day Health and Day Health only. PACE programs staff also include members of the IDT and drivers who are considered direct care staff. Program Director requirement-eliminate requirement to use Program Director as the title. In PACE the Program Director could be titled Executive Director and or CEO; however, ADH regulations require use of the title Program Director. This is purely semantics and has no bearing on the delivery of care to the individuals. Health Care Coordinator requirement-PACE programs have multiple nurses caring for the participant. Eliminate requiring one nurse identified as health care coordinator. Maintain all nursing requirements except completing preadmission health assessment for initial acceptance into program, including problem-identification and care planning. Potential PACE participants receive medical assessments by licensed physician prior to enrollment. These medical assessments include a recommendation</p>	<p>comment are duplications of other comments. DAAS response is limited to only the new items expressed in this comment: 1). PACE programs do not have owners, they have non-profit board of directors, therefore, this comment about homes is not applicable to PACE programs, but is applicable to ADC/ADH homes. 2). although the NC PACE Association has participated in meetings with DAAS and NCADSA several times this concern related to staffing ratios had not yet been raised. This rule relates to the ADH setting, not the additional services provided by PACE. 3). DAAS will need to consult with DMA regarding the designated Health Care Coordinator position and the nursing pre-admission assessment</p>	

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
28	PERSONNEL: CENTERS: HOMES WITH OPERATOR AND STAFF	10A NCAC 06R .0305	24-Jun-16					<p>PACE employees do not live in the PACE centers. Eliminate section (d) requirement for job descriptions to include salary ranges. Eliminate reference requirement due to employment laws which only allow for limited reference information such as dates of employment and title. It is optional for previous employers to give rehire eligibility Ratios are applicable for Adult Day Health and Day Health only. PACE programs staff also include members of the IDT and drivers who are considered direct care staff. Program Director requirement-eliminate requirement to use Program Director as the title. In PACE the Program Director could be titled Executive Director and or CEO; however, ADH regulations require use of the title Program Director.This is purely semantics and has no bearing on the delivery of care to the individuals. Health Care Coordinator requirement-PACE programs have multiple nurses caring for the participant. Eliminate requiring one nurse identified as health care coordinator. Maintain all nursing requirements except completing preadmission health assessment for initial acceptance into program, including problem-identification and care planning. Potential PACE participants receive medical assessments by licensed physician prior to enrollment. These medical assessments include a recommendation</p>	This is a duplicate of the above item.	
29	GENERAL REQUIREMENTS	10A NCAC 06R .0401	21-Jun-16					<p>g. Address whether or not urinals can be counted as toilets.</p> <p>Clarify which staff are being counted..is it all staff (which is not feasible in a large center) or just the # of staff to meet the direct care ratio? For certification purposes, what is used? Allowances should be made if there are bathrooms available for staff use that are outside of the certified space, but in a shared area (with other departments or services). In other words, if that is the case and that is what the staff use then they should be able to be counted OR remove staff from the count.</p>	DAAS will confer with Department of Insurance, State Fire Marshal's office regarding this comment as it also pertains to accesibility of bathrooms.	

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
30	GENERAL REQUIREMENTS	10A NCAC 06R .0401	21-Jun-16	Teresa	Johnson	NC Adult Day Services Association	ncaduldayservices@gmail.com	(i) A telephone shall be available for participants to make and receive calls. The following is obsolete and should be deleted: [A pay station telephone is not acceptable for local calls.]	DAAS agrees with removing "A pay station telephone is not acceptable for local calls."	
31	EQUIPMENT AND FURNISHINGS	10A NCAC 06R .0403	21-Jun-16	Teresa	Johnson	NC Adult Day Services Association	ncaduldayservices@gmail.com	(2) table space adequate for all participants to be served a meal at a table at the same time and for program activities; 'At the same time' is in conflict with person-centered care. It is more reasonable in larger facilities that some people may be eating simultaneously while others are engaged in program activities. Delete 'at the same time.'	DAAS is not opposed to this suggestion, will consult with Person Centered Experts.	
32	EQUIPMENT AND FURNISHINGS	10A NCAC 06R .0403	21-Jun-16	Teresa	Johnson	NC Adult Day Services Association	ncaduldayservices@gmail.com	(3) chairs or sofas that allow for position changes, are upholstered or of soft material, and water and stain resistant, so that at least half of the participants can relax and rest at the same time. If all participants take a daily rest period at the same time, the facility shall have enough of such seating for all participants; This does not address people who are in wheelchairs who are best served by staying in their wheelchairs for position changes. Suggest adding an exception for people in wheelchairs that allow for position changes.	DAAS is not opposed to this suggestion, will review.	

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
33	EQUIPMENT AND FURNISHINGS	10A NCAC 06R .0403	21-Jun-16	Teresa	Johnson	NC Adult Day Services Association	ncaduldayservices@gmail.com	<p>(4) a quiet space with a minimum of one bed or cot so that participants can lie down as needed separate from other program activities.</p> <p>This is interpreted inconsistently by monitors and needs clarification. Currently, some interpret that this can be the bed in the treatment room and some say that it has to be a separate room. This needs to be clarified and the question needs to be asked...why can't it be the bed in the treatment room. Several centers either have a room deemed 'quiet room' that meets the standard but it never used because it is used more for storage and is not appealing to the participants or that there is a folding cot stored away that can be brought out if needed and meets the standard. , such as it has to be an exclusive room which is rarely used in many centers. The clinic in a PACE center should be allowed as quiet space.</p>	Using the bed in the treatment room is not acceptable because another participant may be receiving treatment on said bed in treatment room, therefore, defeating the purpose of the quiet space. Additionally, the quiet space should not be used for storage. A folding cot that can be placed in the quiet space is fine. The current rule allows for provider flexibility. As for the clinic area in the PACE center, this is not always a quiet place, therefore, defeats the purpose of the rule.	
34	EQUIPMENT AND FURNISHINGS	10A NCAC 06R .0403	22-Jun-16					<p>PACE is a full service clinic and comprehensive care provider, with additional space and equipment specifically suited to the frail elderly population served, rendering these ADHC regulations unnecessary. Recommend elimination for PACE, or creation of PACE Adult Day Centers standards that reflect the realities of PACE as follows: RECOMMENDATION FOR CHANGE TO STANDARD: For PACE, the quiet space for lying down can include a space in the clinic where beds are available for clinical care as well as resting, and a separate area for quieter activities or programs. The PACE program will provide sufficient furnishings and equipment that meet the needs of all participants.</p>	Duplication of above See above	

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
35	EQUIPMENT AND FURNISHINGS	10A NCAC 06R .0403	24-Jun-16					<p>Recommend creation of PACE Adult Day Centers standards that reflect the realities of PACE as follows: RECOMMENDATION FOR CHANGE TO STANDARD:</p> <p>For PACE, the quiet space for lying down can include a space in the clinic where beds are available for clinical care as well as resting, and a separate area for quieter activities or programs.</p>	Duplication of above See above	
36	PLANNING PROGRAM ACTIVITIES	10A NCAC 06R .0501	21-Jun-16	Teresa	Johnson	NC Adult Day Services Association	ncaduldayservices@gmail.com	<p>1.Enrollment Procedures a.Fo PACE, Enrollment Agreement will suffice for ADH enrollment procedures provided they cover CMS/DMA Enrollment Process (460.162) & Participant Rights (460.116). Standard NC PACE Intake Enrollment Agreement & Process to be accepted provided enrollment agreement includes a statement that document was received and an agreement to abide by the ADH policies.</p> <p>2.Planning Services for individual participants a.PACE will comply with participant assessment requirements set forth in 460.104. b.For PACE, the service plan will be signed in accordance with PACE regulation 460.106. c.For PACE, the written service plan will be developed according to PACE regulation 460.106.</p>	Please refer to the September 15, 2014 PACE Strategic Plan report and crosswalk	

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
37	PLANNING PROGRAM ACTIVITIES	10A NCAC 06R .0501	22-Jun-16					<p>CMS and/or DMA regulations. Recommend eliminating PACE from NC Adult Day standards. Alternatively, recommend creation of PACE Adult Day Centers standards that reflect the realities of PACE as follows: RECOMMENDATION FOR CHANGE TO STANDARD:</p> <p>1. Enrollment Procedures</p> <p>a. For PACE, in lieu of this requirement, Enrollment Agreement will suffice for ADH enrollment procedures provided they cover CMS/DMA Enrollment Process (460.162) & Participant Rights (460.116). Standard NC PACE Intake Enrollment Agreement & Process to be accepted provided enrollment agreement includes a statement that document was received and an agreement to abide by the ADH policies.</p> <p>b. For PACE, in lieu of this requirement, the enrollment process will be conducted in accordance with PACE regulation 460.162</p> <p>c. For PACE, in lieu of this requirement, CMS/DMA voluntary disenrollment regulation 460.164 will be followed</p> <p>d. For PACE, in lieu of this requirement, CMS/DMA involuntary disenrollment regulation 460.164 will be followed.</p> <p>2. Planning Services for individual participants</p>	Please refer to the September 15, 2014 PACE Strategic Plan report and crosswalk	

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
38	PLANNING PROGRAM ACTIVITIES	10A NCAC 06R .0501	24-Jun-16					<p>standards that reflect the realities of PACE as follows: RECOMMENDATION FOR CHANGE TO STANDARD:</p> <p>1. Enrollment Procedures</p> <p>a. For PACE, in lieu of this requirement, Enrollment Agreement will suffice for ADH enrollment procedures provided they cover CMS/DMA Enrollment Process (460.162) & Participant Rights (460.116). Standard NC PACE Intake Enrollment Agreement & Process to be accepted provided enrollment agreement includes a statement that document was received and an agreement to abide by the ADH policies.</p> <p>b. For PACE, in lieu of this requirement, the enrollment process will be conducted in accordance with PACE regulation 460.162</p> <p>c. For PACE, in lieu of this requirement, CMS/DMA voluntary disenrollment regulation 460.164 will be followed</p> <p>d. For PACE, in lieu of this requirement, CMS/DMA involuntary disenrollment regulation 460.164 will be followed.</p> <p>2. Planning Services for individual participants</p> <p>a. For PACE, in lieu of this requirement, the participant assessments will conducted in accordance with CMS/DMA regulation 460.104.</p>	Please refer to the September 15, 2014 PACE Strategic Plan report and crosswalk	

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
39	NUTRITION	10A NCAC 06R .0502	21-Jun-16	Teresa	Johnson	NC Adult Day Services Association	ncaduldayservices@gmail.com	<p>(d) A licensed dietician/nutritionist shall give consultation to the staff on basic and special nutritional needs and proper food handling techniques and the prevention of foodborne illness.</p> <p>This rule is interpreted inconsistently--some monitors accept ServSafe Certification, while others require consultation by a licensed dietician which is very costly. Update the rule to be comparable to nutrition site language (10A NCAC 06K .0202) or allow for ServSafe Certification. Suggested update: A licensed dietician/nutritionist shall give consultation to the staff on basic and special nutritional needs. All staff working in the preparation of food shall insure the application of hygienic techniques and practices in food handling, preparation and service. This staff consult with the a licensed dietician/nutritionist for advice and consultation as necessary.</p> <p>PACE programs are regulated by PACE regulation 460.78</p>	DAAS will review and provide interpretation as needed of this rule.	
40	NUTRITION	10A NCAC 06R .0502	22-Jun-16					<p>RECOMMENDATION FOR CHANGE TO STANDARD: ADD somewhere in this section: For PACE programs, dietary services will be regulated by PACE regulation 460.78</p> <p>3. Snacks shall be planned to keep sugar, salt and total fat intake to a minimum.</p>	Refer to September 15, 2014 PACE Strategic Plan report and crosswalk	
41	NUTRITION	10A NCAC 06R .0502	24-Jun-16					<p>RECOMMENDATION FOR CHANGE TO STANDARD: Nutrition - ADD somewhere in this section: For PACE programs, dietary services will be regulated by PACE regulation 460.78</p> <p>3. Snacks shall be planned to keep sugar, salt and cholesterol total fat intake to a minimum.</p>	Duplication of above	

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
42	TRANSPORTATIO N	10A NCAC 06R .0503	21-Jun-16	Teresa	Johnson	NC Adult Day Services Association	ncaduldayservic es@gmail.com	<p>For PACE programs, transportation services will be regulated by PACE regulation 460.76.</p> <p>(4) Vehicles shall be equipped with a first aid kit, consisting of the items listed in 10A NCAC 06S .0301(a), and a fire extinguisher.</p> <p>The first aid supplies should not be listed because some are never used and others that are not listed are used frequently. This list is outdated, impractical and not in keeping with the daily operational needs of most Adult Day centers. Modify to state that first aid supplies should consistent with those recommended by American Red Cross.</p>	Refer to September 15, 2014 PACE Strategic Plan report and crosswalk. DAAS will review the first aid supplies comment.	
43	TRANSPORTATIO N	10A NCAC 06R .0503	22-Jun-16					<p>Requirements for PACE are extensively covered by CMS and/or DMA regulations. Recommend eliminating PACE from NC Adult Day standards. Alternatively, recommend creation of PACE Adult Day Centers standards that reflect the realities of PACE as follows: RECOMMENDATION FOR CHANGE TO STANDARD:</p> <p>In lieu of this requirement, for PACE programs, transportation services will be regulated by PACE regulation 460.76.</p> <p>The first aid kit contents should be changed to reflect the suggested changes in 10A NCAC 06R .0504</p>	Duplication of above.	
44	TRANSPORTATIO N	10A NCAC 06R .0503	24-Jun-16					<p>recommend creation of PACE Adult Day Centers standards that reflect the realities of PACE as follows: RECOMMENDATION FOR CHANGE TO STANDARD:</p> <p>In lieu of this requirement, for PACE programs, transportation services will be regulated by PACE regulation 460.76.</p> <p>Note that the first aid kit contents will be changed to reflect the suggested changes in section 111 B5.</p>	Duplication of above.	

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
45	EMERGENCIES AND FIRST AID	10A NCAC 06R .0504	21-Jun-16	Teresa	Johnson	NC Adult Day Services Association	ncaduldayservices@gmail.com	(f) The program shall have a portable basic emergency information file available on each client that includes... Add 'portable includes electronic access' since PACE programs and a growing number of adult day centers store information electronically.	DAAS will review it.	
46	EMERGENCIES AND FIRST AID	10A NCAC 06R .0504	21-Jun-16	Teresa	Johnson	NC Adult Day Services Association	ncaduldayservices@gmail.com	(d) All physically able staff who have direct contact with participants shall complete certified training in standard first aid and cardio-pulmonary resuscitation (CPR). This first aid rule seems irrelevant for the certified or licensed medical personnel such as the doctors, pharmacists in PACE or nurses. Suggest revising so that only non-certified or non-licensed medical personnel with direct contact with participants shall be required to complete first aid training.	DAAS will review and seek consultation from various licensing boards.	

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
47	EMERGENCIES AND FIRST AID	10A NCAC 06R .0504	22-Jun-16					<p>recommend creation of PACE Adult Day Centers standards that reflect the realities of PACE as follows: RECOMMENDATION FOR CHANGE TO STANDARD: In lieu of this requirement, for PACE programs, emergency services will be regulated by PACE regulation on Emergency Care, 460.100 and pertinent elements of CMS/DMA regulation 460.102 (staffing, Training & Interdisciplinary Team).</p> <p>4. Revise first sentence here to state: All physically able staff who have direct contact with participants shall complete certified training in cardio-pulmonary resuscitation (CPR). Only non-certified or non-licensed medical personnel with direct contact with participants shall be required to complete first aid training. a. taught by a certified instructor. Delete the wording 'certified through the American Hearth Association, American red cross, national safety council, American safety and health institute, or EMS.'</p> <p>6. ADD: 'Portable' includes electronic access.</p>		

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
48	EMERGENCIES AND FIRST AID	10A NCAC 06R .0504	24-Jun-16					<p>recommend creation of PACE Adult Day Centers standards that reflect the realities of PACE as follows: RECOMMENDATION FOR CHANGE TO STANDARD: In lieu of this requirement, for PACE programs, emergency services will be regulated by PACE regulation on Emergency Care, 460.100 and pertinent elements of CMS/DMA regulation 460.102 (staffing, Training & Interdisciplinary Team).</p> <p>4. Revise first sentence here to state: All physically able staff who have direct contact with participants shall complete certified training in cardio-pulmonary resuscitation (CPR). Only non-certified or non-licensed medical personnel with direct contact with participants shall be required to complete first aid training. a. taught by a certified instructor. Delete the wording "certified through the American Hearth Association, American red cross, national safety council, American safety and health institute, or EMS."</p> <p>6. ADD: 'Portable' includes electronic access.</p>	First portion is a duplicate. DAAS will review comments related to instructor certification. Last item tiled 4 is a duplicate.	
49	HOURS AND DAYS OF OPERATION	10A NCAC 06R .0506	22-Jun-16					Do not require that PACE director receive agreement from county DSS for scheduled closure days	DAAS will review.	
50	HOURS AND DAYS OF OPERATION	10A NCAC 06R .0506	24-Jun-16					Do not require that PACE director receive agreement from county DSS for scheduled closure days.	Duplication of above	

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
51	RECORDS	10A NCAC 06R .0508	21-Jun-16	Teresa	Johnson	NC Adult Day Services Association	ncaduldayservices@gmail.com	<p>(D) time of day participant will arrive and time of day participant will leave the program;</p> <p>Caregivers are often unsure, when enrolling the participant, what kinds of issues they will run into when getting a family member ready and it changes based upon which family member is providing transportation that day. If the participant is using contracted transportation, then the caregiver doesn't know upon enrollment what those times will be. I think the intent was to allow the program to plan...but we learn and adjust to participant's schedules regularly (not based upon what they wrote on enrollment paperwork). Therefore, it is often arbitrary times that are added in order to meet the standard (no value). It would be much more meaningful to capture the expected days participants plan to attend.</p>	This rule is to ensure participant safety and adequate staff to participant ratios are maintained. DAAS will review.	
52	RECORDS	10A NCAC 06R .0508	22-Jun-16					<p>As noted throughout, PACE is also regulated by CMS and DMA, and these regulations are more appropriate for PACE. This requirement is duplicative of the CMS regulation. In lieu of eliminating duplicative regulations, PACE Association recommends the following language for standards specific to PACE:</p> <p>PACE will comply with 42 CFR Â§ 460.210 as it pertains to individual participant records in lieu of ADHC regulations b.1-7.</p> <p>For PACE, maintenance of records will comply with 42 CFR Â§ 460.200, as opposed to ADHC regulations. 8A-H</p> <p>For personnel records (9-11), PACE programs will comply with CMS/DMA Reg. Requirements for Staffing, Training & Interdisciplinary Team (460.102) vs. DAAS ADHC requirements.</p> <p>For program records: For PACE, policies will be accepted as PACE policies, and not a separate creation of ADHC policies.</p>	Refer to September 15, 2014 PACE Strategic Plan report and crosswalk	

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
53	RECORDS	10A NCAC 06R .0508	24-Jun-16					<p>As noted throughout, PACE is also regulated by CMS and DMA, and these regulations are more appropriate for PACE. This requirement is duplicative of the CMS reg. PACE RECOMMENDATION FOR CHANGE TO STANDARD: In lieu of this requirement, PACE will comply with 42 CFR Â§ 460.210 as it pertains to individual participant records in lieu of ADHC regulations b.1-7. For PACE, maintenance of records will comply with 42 CFR Â§ 460.200, as opposed to ADHC regulations. 8A-H</p> <p>For personnel records (9-11), PACE programs will comply with CMS/DMA Reg. Requirements for Staffing, Training & Interdisciplinary Team (460.102) vs. DAAS ADHC requirements.</p> <p>For program records: For PACE, policies will be accepted as PACE policies, and not a separate creation of ADHC policies. '</p>	Refer to September 15, 2014 PACE Strategic Plan report and crosswalk	
54	PROGRAM EVALUATION	10A NCAC 06R .0509	21-Jun-16	Teresa	Johnson	NC Adult Day Services Association	ncaduldayservices@gmail.com	<p>ADD somewhere in this section: For PACE programs, program evaluation will be regulated by PACE regulation on Quality Improvement and Performance Improvement, 460.136.</p>	Refer to September 15, 2014 PACE Strategic Plan report and crosswalk	
55	PROGRAM EVALUATION	10A NCAC 06R .0509	24-Jun-16					<p>This rule is unnecessary for PACE, which is already regulated by federal CMS PACE regulation 460.136 on Quality Improvement and Performance Improvement. PACE RECOMMENDATION FOR CHANGE TO STANDARD: For PACE programs, in lieu of this requirement, program evaluation will be regulated by PACE regulation on Quality Improvement and Performance Improvement, 460.136.</p>	Duplication of the above	

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
								<p>current period of certification, the county department of social services shall submit to the Division of Aging and Adult Services the following forms and materials which make up a certification package for the renewal of a certification.</p> <p>The following should be changed to reflect current practices by DAAS at NCADSA's request for changing 60 days to 90 days. Potentially add language for Division of Aging and Adult Services to respond to the county department of social services and the provider within 30 days prior to the end of the current period of certification with questions on submitted materials or need for additional information.</p> <p>4. Renewal Certification Package [10A NCAC 06R .0601] Suggested change... If there are any findings which may affect the renewal of certification, the Division of Aging and Adult Services will provide to the county department of social services and the provider such information within 30 days prior to the end of current period of certification.</p>		
56	PROCEDURE	10A NCAC 06R .0601	21-Jun-16	Teresa	Johnson	NC Adult Day Services Association	ncaduldayservices@gmail.com	<p>Define 'timely fashion'--This statement is actually related to submission of the packet by the county</p>	DAAS will review. DAAS has revised the certification reminder process per the NCADSA's request as discussed during the regularly scheduled meetings DAAS has with NCADSA and the NC PACE Association.	
57	PROCEDURE	10A NCAC 06R .0601	21-Jun-16	Teresa	Johnson	NC Adult Day Services Association	ncaduldayservices@gmail.com	<p>(13) verification of standard first aid and cardio-pulmonary resuscitation certification (CPR) for each proposed staff member who is physically able and who will have direct contact with participants.</p> <p>Same comment on relevance of First Aid Training for professionals. Suggest that only non-certified or non-licensed medical personnel with direct contact with participants shall be required to complete first aid training.</p>	Duplication.	

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
58	THE CERTIFICATE	10A NCAC 06R .0801	21-Jun-16	Teresa	Johnson	NC Adult Day Services Association	ncaduldayservices@gmail.com	The certificate will be issued by the Division of Aging when, in the division's judgment, minimum requirements for certification have been met under the rules of this Subchapter. 'In the division's judgment' is very subjective and should be removed.	DAAS will review	
59	THE CERTIFICATE	10A NCAC 06R .0801	22-Jun-16					As indicated in comments to 10A NCAC 06R .0101, PACE is distinct from ADHC, offering a full complement of medical care for which it assumes all risk. A Medicare/Medicaid fully capitated program, it is heavily regulated and monitored by CMS and DMA. The process of securing state certification as an ADHC is duplicative, unnecessary and costly to both the program and the taxpayers. Recommend that the words 'in the division's judgment' be eliminated.	Duplication	
60	THE CERTIFICATE	10A NCAC 06R .0801	24-Jun-16					As indicated in comments to 10A NCAC 06R .0101, PACE is distinct from ADHC, offering a full complement of medical care for which it assumes all risk. A Medicare/Medicaid fully capitated program, it is heavily regulated and monitored by CMS and DMA. The process of securing state certification as an ADHC is duplicative, unnecessary and costly to both the program and the taxpayers. Recommend that the words 'in the division's judgment' be eliminated.	Duplication	
61	PROVISIONAL CERTIFICATE	10A NCAC 06R .0802	22-Jun-16					Should be unnecessary for PACE, per comments on 10A NCAC 06R .0101 and 10A NCAC 06R .0801. If continued, however, DAAS should advise programs of any needed corrections at least 30 days prior to expiration of current certificate and renewal process should start at least 90 days in advance of expiration to significantly reduce the need for provisional certificates.	Duplication	

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
62	PROVISIONAL CERTIFICATE	10A NCAC 06R .0802	24-Jun-16					Should be unnecessary for PACE, per comments on 10A NCAC 06R .0101 and 10A NCAC 06R .0801. If continued, however, DAAS should advise programs of any needed corrections at least 30 days prior to expiration of current certificate.	Duplication	
63	PROCEDURE FOR APPEAL	10A NCAC 06R .0806	22-Jun-16	L				PACE is already covered by a more extensive CMS/DMA appeals process (CFR 460.122), making this unnecessary for PACE	This comment is not pertinent to this rule citation	
64	PROCEDURE FOR APPEAL	10A NCAC 06R .0806	24-Jun-16					PACE is already covered by a more extensive CMS/DMA appeals process (CFR 460.122), making this unnecessary for PACE	Duplication of the above	
65	POLICIES AND PROCEDURES	10A NCAC 06R .0902	22-Jun-16	Linda	SHAW	NC PACE Association		This does not apply to PACE programs, which do not separate individuals by diagnoses and do not have special needs section of facility	This rule is optional, this is not a requirement for certification.	
66	POLICIES AND PROCEDURES	10A NCAC 06R .0902	24-Jun-16					This does not apply to PACE programs, which do not separate individuals by diagnoses and do not have special needs section of facility	Duplication of the above	
67	ENROLLMENT – SPECIAL CARE SERVICES	10A NCAC 06R .0904	22-Jun-16		Shaw	NC PACE Association		PACE does not distinguish participants or the care provided as 'special care', although many PACE participants have dementia or Alzheimers. All potential PACE participants receive the same thorough enrollment procedure and information covered by CMS regulations noted throughout these comments.	Duplication of the above	
68	ENROLLMENT – SPECIAL CARE SERVICES	10A NCAC 06R .0904	24-Jun-16					PACE does not distinguish participants or the care provided as 'special care', although many PACE participants have dementia or Alzheimers. All potential PACE participants receive the same thorough enrollment procedure and information covered by CMS regulations noted throughout these comments.	Duplication of the above	
69	INTRODUCTORY STATEMENT	10A NCAC 06S .0101	22-Jun-16	Linda	Shaw	NC PACE Association		PACE supports the goals and intent of Adult Day Services certification. However, as indicated in our comments to 10A NCAC 06R .0101, these services are but one aspect of a comprehensive medical/social delivery system that is PACE, and separate certification for PACE is unnecessary and duplicative of other intensive state and federal regulation.	Duplication of previous comments	

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
70	INTRODUCTORY STATEMENT	10A NCAC 06S .0101	24-Jun-16					PACE supports the goals and intent of Adult Day Services licensure. However, as indicated in our comments to 10A NCAC 06R .0101, these services are but one aspect of a comprehensive medical/social delivery system that is PACE, and separate certification for PACE is unnecessary and duplicative of other intensive state and federal regulation.	Duplication of previous comments	
71	DEFINITIONS	10A NCAC 06S .0102	22-Jun-16			NC PACE Association		Repeat of comments on 10A NCAC 06R .0201: As indicated throughout these comments, PACE is a distinct program already heavily monitored by CMS and DMA, rendering state certification as an ADHC unnecessary and duplicative. If certification continues, however, a definition should be added for the 'PACE adult day center' and rules and requirements throughout should be amended or deleted to reflect the important distinction. Existing definitions would also need to change to be relevant to PACE. The capacity definition based on square footage does not apply because all PACE participants do not attend the adult day health center. The definition of Special Care services also does not apply to PACE programs.	Duplication of previous comments	
72	DEFINITIONS	10A NCAC 06S .0102	24-Jun-16					Repeat of comments on 10A NCAC 06R .0201: As indicated throughout these comments, PACE is a distinct program already heavily monitored by CMS and DMA, rendering state certification as an ADHC unnecessary and duplicative. If certification continues, however, a definition should be added for the 'PACE adult day center' and rules and requirements throughout should be amended or deleted to reflect the important distinction. Existing definitions would also need to change to be relevant to PACE. The capacity definition based on square footage does not apply because all PACE participants do not attend the adult day health center. The definition of Special Care services also does not apply to PACE programs.	Duplication of previous comments	

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
73	DEFINITIONS	10A NCAC 06S .0102	24-Jun-16					Repeat of comments on 10A NCAC 06R .0201: As indicated throughout these comments, PACE is a distinct program already heavily monitored by CMS and DMA, rendering state certification as an ADHC unnecessary and duplicative. If certification continues, however, a definition should be added for the 'PACE adult day center' and rules and requirements throughout should be amended or deleted to reflect the important distinction. Existing definitions would also need to change to be relevant to PACE. The capacity definition based on square footage does not apply because all PACE participants do not attend the adult day health center. The definition of Special Care services also does not apply to PACE programs.	Duplication of previous comments	
74	STAFFING PATTERN	10A NCAC 06S .0203	22-Jun-16			NC PACE Association		Request clarification regarding 'direct participant care' staff as PACE employs positions not typically found within an ADHC that do provide direct participant care but are not PCAs (e.g. PT, OT, Clinic staff, etc).Create a PACE Adult Day Center set of standards that distinguish the realities of PACE from ADHCs	Duplication	
75	STAFFING PATTERN	10A NCAC 06S .0203	22-Jun-16			NC PACE Association		Request clarification regarding 'direct participant care' staff as PACE employs positions not typically found within an ADHC that do provide direct participant care but are not PCAs (e.g. PT, OT, Clinic staff, etc). Another example of the need to remove PACE from these regulations or create a PACE Adult Day Center set of standards that distinguish the realities of PACE from ADHCs.	Duplication	
76	STAFFING PATTERN	10A NCAC 06S .0203	24-Jun-16					Request clarification regarding 'direct participant care' staff as PACE employs positions not typically found within an ADHC that do provide direct participant care but are not PCAs (e.g. PT, OT, Clinic staff, etc).Create a PACE Adult Day Center set of standards that distinguish the realities of PACE from ADHCs	Duplication	

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
77	STAFF REQUIREMENTS	10A NCAC 06S .0204	21-Jun-16	Teresa	Johnson	NC Adult Day Services Association	ncaduldayservices@gmail.com	<p>Rigid titles are problematic. PACE programs have multiple nurses caring for the participant. Eliminate requiring the title of health care coordinator; however, maintain all nursing requirements except completing preadmission health assessment for initial acceptance into program, including problem-identification and care planning. Potential PACE participants receive medical assessments by licensed physician prior to enrollment. These medical assessments include a recommendation from the Physician regarding PACE appropriateness.</p> <p>Program Director may have a different title in a PACE program (e.g. Executive Director, CEO) or in a center part of a larger organization.</p>	Duplication	
78	STAFF REQUIREMENTS	10A NCAC 06S .0204	22-Jun-16			NC PACE Association		<p>Based on PACE protocol for providing these services, the Center Manager and the PACE clinic nurses should be sufficient to meet these requirements without requiring a designated 'Health Care Coordinator'. Create a PACE Adult Day Center set of standards that distinguish the realities of PACE from ADHCs or remove PACE programs from these regulations that duplicate existing federal and state regulations.</p>	Duplication	
79	STAFF REQUIREMENTS	10A NCAC 06S .0204	24-Jun-16					<p>Based on PACE protocol for providing these services, the Center Manager and the PACE clinic nurses should be sufficient to meet these requirements without requiring a designated 'Health Care Coordinator'. Create a PACE Adult Day Center set of standards that distinguish the realities of PACE from ADHCs.</p>	Duplication	

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
80	REQUIREMENTS	10A NCAC 06S .0301	21-Jun-16	Teresa	Johnson	NC Adult Day Services Association	ncadultdayservices@gmail.com	<p>medical supplies and equipment: (A) first aid supplies consisting of absorbent compress, adhesive bandages, adhesive tape, antiseptic, burn treatment, medical exam gloves, sterile pads and triangular bandage; (B) fever thermometer; (C) blood pressure cuff; (D) stethoscope; (E) medical scales, or scales that can be calibrated; (F) emesis basin; (G) bed pan; (H) urinal; and (I) wash basin.</p> <p>The first aid supplies should not be listed because some are never used and others that are not listed are used frequently. Triangular bandages are not even sold in many places anymore. Refer to current first aid supplies recommended by the American Red Cross if a reference needs to be made.</p> <p>The emesis basin, bed pan and wash basin are rarely if ever used. The urinal belongs in the bathroom area, not in the treatment room. This list is outdated, impractical and not in keeping with the</p>	DAAS will review	
81	REQUIREMENTS	10A NCAC 06S .0301	22-Jun-16			NC PACE Association		<p>As a full service clinic, PACE already has all of these items (Items 4, 5 and 6 A-I) on site with multiple treatment areas. It is burdensome to store and monitor these specific supplies in each 'treatment' room versus using our clinical central supply. For example, we have medical weight scales in the clinic on-site but we also have to have 'medical scales' in each treatment room. These requirements are clearly intended for centers that do not have a clinic on-site. PACE should be distinguished from other ADHCs either by creating a PACE Adult Day Center set of standards or by removing PACE from ADHC certification requirements.</p>	DAAS will review	

	A	B	C	D	E	F	G	I	J	K
1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
82	REQUIREMENTS	10A NCAC 06S .0301	24-Jun-16					As a full service clinic, PACE already has all of these items (Items 4, 5 and 6 A-I) on site with multiple treatment areas. It is burdensome to store and monitor these specific supplies in each 'treatment' room versus using our clinical central supply. For example, we have medical weight scales in the clinic on-site but we also have to have 'medical scales' in each treatment room. These requirements are clearly intended for centers that do not have a clinic on-site. Create a PACE Adult Day Center set of standards that distinguish the realities of PACE from ADHCs	Duplicaton	
83	ADDITIONAL ENROLLMENT AND PARTICIPATION REQUIREMENTS	10A NCAC 06S .0402	22-Jun-16		SHAW	NC PACE Association		Section (b) is not applicable to PACE. PACE is established to serve frail older adults who must be eligible for nursing home level of care but are able to live at home with the support of PACE. PACE is not allowed to turn away anyone simply because of a health condition, nor can it disenroll someone for a worsening health situation. Once enrolled, the PACE program is responsible for ALL aspects of that individual's care, no matter how complicated or costly, whether it is provided directly or through contractual arrangements with other providers. This is antithetical to (b) and further demonstrates that PACE is very different from ADHCs and should not be regulated as an ADHC.	DAAS will review and defer to DMA	

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
84	ADDITIONAL ENROLLMENT AND PARTICIPATION REQUIREMENTS	10A NCAC 06S .0402	24-Jun-16					Section (b) is not applicable to PACE. PACE is established to serve frail older adults who must be eligible for nursing home level of care but are able to live at home with the support of PACE. PACE is not allowed to turn away anyone simply because of a health condition, nor can it disenroll someone for a worsening health situation. Once enrolled, the PACE program is responsible for ALL aspects of that individual's care, no matter how complicated or costly, whether it is provided directly or through contractual arrangements with other providers. This is antithetical to (b) and further demonstrates that PACE is very different from ADHCs and should not be regulated as an ADHC.	Duplication	
85	HEALTH AND PERSONAL CARE SERVICES	10A NCAC 06S .0403	22-Jun-16			NC PACE Association		Recommend creation of a PACE Adult Day Center set of standards for this standard. It should mirror ADH language except the following: b. rather than the adult day care program staff alerting family to changes it should be designated PACE staff. d. Health education programs to be coordinated by activities director. 2. Need for specialized services to be determined by the PACE interdisciplinary team.	comment re: Health Education programs coordinated by Activities Director, DAAS will review.	
86	HEALTH AND PERSONAL CARE SERVICES	10A NCAC 06S .0403	24-Jun-16					Recommend creation of a PACE Adult Day Center set of standards for this standard. It should mirror ADH language except the following: b. rather than the adult day care program staff alerting family to changes it should be designated PACE staff. d. Health education programs to be coordinated by activites director. 2. Need for specialized services to be determined by the PACE interdisciplinary team.	Duplication	

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
87	TRANSPORTATIO N	10A NCAC 06S .0404	22-Jun-16		Shaw	NC PACE Association		For this, as well as 10A NCAC 06R .0503, PACE should be distinguished from ADHCs and allowed to follow currently existing CMS/DMA Transportation Services regulations. Create a PACE Adult Day Center set of standards if necessary to allow this. More streamlined, cost-effective and efficient to eliminate PACE from ADHC regulations altogether.	Duplication	
88	TRANSPORTATIO N	10A NCAC 06S .0404	24-Jun-16					Create a PACE Adult Day Center set of standards. Follow currently existing CMS/DMA Transportation Services regulations in the new ADH PACE requirements	Duplication	
89	EMERGENCIES AND FIRST AID	10A NCAC 06S .0405	22-Jun-16					For this, as well as 10A NCAC 06R .0504, PACE should be distinguished from ADHCs and allowed to follow currently existing CMS/DMA regulations. Create a PACE Adult Day Center set of standards if necessary to allow this. It should reflect the comments submitted for 10A NCAC 06R .0504 as well as the following: Fire safety standards should mirror existing CMS/DMA PACE regulation to avoid redundancy or inconsistencies. Due to the unique structure of a PACE program with a staffed medical clinic during all hours of operations the PACE Adult Day Center standards for CPR and first aid should be waived. PACE Adult Day Center Incident Reporting to follow CMS/DMA PACE Occurrence Reporting requirements Follow CMS/DMA PACE Emergency Care, Natural Disaster Responses & Adult Day Health Emergency Evacuation.	Duplication. Refer to September 15, 2014 PACE Strategic Plan Report & Crosswalk	

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
90	EMERGENCIES AND FIRST AID	10A NCAC 06S .0405	24-Jun-16					<p>Create a PACE Adult Day Center set of standards. Fire safety standards should mirror existing CMS/DMA PACE regulation to avoid redundancy or inconsistencies.</p> <p>Due to the unique structure of a PACE program with a staffed medical clinic during all hours of operations the PACE Adult Day Center standards for CPR and first aid should be waved.</p> <p>PACE Adult Day Center Incident Reporting to follow CMS/DMA PACE Occurrence Reporting requirements Follow CMS/DMA PACE Emergency Care, Natural Disaster Responses & Adult Day Health Emergency Evac.'</p>	Dupluication	

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
91	PROCEDURE	10A NCAC 06S .0501	22-Jun-16			NC PACE Association		<p>certification as an ADC/ADHC is unnecessary and duplicative for PACE which is already heavily regulated by CMS and DMA, with regulations that reflect the unique nature of PACE. Page ii of the DHHS Adult Day Care and Adult Day Health Standards for Certification states that 'The standards which follow for adult day care and adult day health are not intended as standards for day hospitals, partial hospital programs or other medically oriented day services.' PACE is a Medicare (and Medicaid) program delivering comprehensive medical care. PACE is the full-risk insurer and provider of all medical care to its patients. Most of the services are delivered at the PACE facility, which includes a 'day center' as just one component of the all-inclusive health care provided by PACE. PACE clearly fits into the referenced medical exclusion. Additionally, all aspects of PACE are regulated and monitored by both the federal government (CMS) and by the NC Division of Medical Assistance, so additional regulation as an ADHC is duplicative and unnecessary.</p> <p>If certification as an ADC is to continue, a 'PACE Adult Day Center' set of standards should be created. In reference to 10A NCAC 06S .0501, the procedure should mirror the ADH initial certification</p>	DAAS defers to DMA	
92	PROCEDURE	10A NCAC 06S .0501	24-Jun-16					<p>initial certificaion and recertification except: Verification of first aid and CPR requirement due to the staffed medical clinic during all hours of operations the PACE Adult Day Center standards for CPR and first aid should be waved. Elimination of form 732A-ADS due to the CMS fiscal soundness reporting requirements and the capitated payment model for PACE programs.'</p>	Duplication. Refer to September 15, 2014 PACE Strategic Plan Report & Crosswalk	
93	PROCEDURE FOR APPEAL	10A NCAC 06S .0508	22-Jun-16		Shaw	NC PACE Association		<p>This rule is duplicative for PACE, which already has extensive appeals process through CMS and DMA. PACE RECOMMENDATION FOR CHANGE TO STANDARD: For PACE programs, in lieu of this requirement, PACE will follow the CMS and DMA process for appeal in 42 CFR Â§ 460.122.</p>	Duplication	

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1	RuleTitle	RuleCitation	Timestamp	FirstName	LastName	Company	Email	Comment	DAAS Response	RRC Recommendation
94	PROCEDURE FOR APPEAL	10A NCAC 06S .0508	24-Jun-16					This rule is duplicative for PACE, which already has extensive appeals process through CMS and DMA. PACE RECOMMENDATION FOR CHANGE TO STANDARD: For PACE programs, in lieu of this requirement, PACE will follow the CMS and DMA process for appeal in 42 CFR Â§ 460.122.	Duplication	
95	NATURE AND PURPOSE OF STATE ADULT DAY CARE FUND	10A NCAC 06T .0201	18-Jun-16					The reimbursement rates of \$33.07 for adult day care, \$40 for adult day health, and \$1.50 per trip are absolutely NOT sustainable! These rates are appallingly low. They do not cover half of the costs of providing these services. For the sake of adult day centers and the people who need and rely on adult day services please revise/increase these rates!	Duplication	
96	NATURE AND PURPOSE OF STATE ADULT DAY CARE FUND	10A NCAC 06T .0201	20-Jun-16	Pam	Hayworth			Reimbursement rates are not sustainable & should be increased. In most cases they are less than have of the daily expenses.	Duplication	