



**G.S. 150B-21.3A Report for 10A NCAC 28D, TREATMENT OR HABILITATION RIGHTS**

Agency - DHHS/Commission for Mental Health, Developmental Disabilities and Substance Abuse Services

Comment Period - December 5, 2017 - February 2, 2018

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 28D .0208	INTERVENTIONS REQUIRING ADDITIONAL SAFEGUARDS	Amended Eff. October 1, 2004	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 28D .0209	TRAINING: EMPHASIS ON ALTERNATIVES TO RESTRICTIVE INTERVENTIONS	Amended Eff. April 1, 2003	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 28D .0210	TRAINING IN SECLUSION, PHYSICAL RESTRAINT AND ISOLATION TIME-OUT	Eff. April 1, 2003	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	<b>SECTION .0300 - RIGHT TO REFUSE TREATMENT</b>	10A NCAC 28D .0301	THERAPEUTIC AND DIAGNOSTIC PROCEDURES	Amended Eff. April 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 28D .0302	INTRUSIVE INTERVENTIONS	Amended Eff. April 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	<b>SECTION .0400 - REFUSAL OF PSYCHOTROPIC MEDICATION</b>	10A NCAC 28D .0401	ADMINISTRATION OF MEDICATIONS IN AN EMERGENCY	Amended Eff. July 1, 1989	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 28D .0402	BEST INTEREST TEST	Amended Eff. April 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 28D .0403	REFUSAL IN STATE FACILITIES OTHER THAN MR CENTERS	Amended Eff. April 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		10A NCAC 28D .0404	REFUSAL IN REGIONAL MENTAL RETARDATION CENTERS	Amended Eff. April 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest