

G.S. 150B-21.3A Report for 10A NCAC Chapter 25, Medical Assistance Provided

Agency - Health and Human Services, Department of

Comment Period - Filled in by Agency

Date Submitted to APO - May 23, 2016

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(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps	
SUBCHAPTER 25A – GENERAL	SECTION .0200 – MEDICAL SERVICES	10A NCAC 25A .0201	MEDICAL SERVICES	Transferred from 10A NCAC 22O .0301 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 440.230(d)	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt	
SUBCHAPTER 25C – BEHAVIORAL HEALTH/SUBSTANCE ABUSE	SECTION .0200 – MENTAL HEALTH CENTER SERVICES	10A NCAC 25C .0201	MENTAL HEALTH CENTER SERVICES	Transferred from 10A NCAC 22O .0107 Eff. May 1, 2012	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code	
	SECTION .0300 – INPATIENT PSYCHIATRIC HOSPITAL SERVICES	10A NCAC 25C .0301	INPATIENT PSYCHIATRIC HOSPITAL SERVICES	Transferred from 10A NCAC 22O .0111 Eff. May 1, 2012	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code	
			10A NCAC 25C .0302	NC MEDICAID CRITERIA FOR CONTINUED ACUTE STAY IN AN INPATIENT PSYCHIATRIC FACILITY	Transferred from 10A NCAC 22O .0113 Eff. May 1, 2012	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
SUBCHAPTER 25D – INTELLECTUAL AND DEVELOPMENTAL DISABILITIES	SECTION .0200 – INTERMEDIATE CARE FACILITIES	10A NCAC 25D .0201	INTERMEDIATE CARE FACILITIES	Transferred from 10A NCAC 22O .0108	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code	
SUBCHAPTER 25F – CASE MANAGEMENT	SECTION .0200 – GENERAL CASE MANAGEMENT	10A NCAC 25F .0201	CASE MGMT SVCS/ADULTS/CHILDREN AT-RISK/ABUSE/ NEGLECT/ EXPLOITATION	Transferred from 10A NCAC 22O .0123 Eff. May 1, 2012	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code	
	SECTION .0300 – HIV CASE MANAGEMENT	10A NCAC 25F .0301	HIV CASE MANAGEMENT	Transferred from 10A NCAC 22O .0124 Eff. May 1, 2012	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code	
SUBCHAPTER 25H – DENTAL SERVICES	SECTION .0200 – GENERAL	10A NCAC 25H .0201	DEFINITIONS	Transferred from 10A NCAC 22O .0201 Eff. May 1, 2012	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 440.100	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note	
			10A NCAC 25H .0202	ELIGIBILITY	Transferred from 10A NCAC 22O .0203 Eff. May 1, 2012	Unnecessary		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code	
			10A NCAC 25H .0203	STANDARDS FOR PARTICIPATION	Transferred from 10A NCAC 22O .0202 Eff. May 1, 2012	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
			10A NCAC 25H .0204	AMOUNT: DURATION: AND SCOPE OF SERVICES	Transferred from 10A NCAC 22O .0204 Eff. May 1, 2012	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 440.100	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
			10A NCAC 25H .0205	RESTRICTIONS AND PRIOR APPROVAL	Transferred from 10A NCAC 22O .0205 Eff. May 1, 2012	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
			10A NCAC 25H .0206	PRIOR APPROVAL	Transferred from 10A NCAC 22O .0211 Eff. May 1, 2012	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		SECTION .0300 – SERVICES PROVIDED	10A NCAC 25H .0301	GUIDELINES ON SERVICES	Transferred from 10A NCAC 22O .0206 Eff. May 1, 2012	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
			10A NCAC 25H .0302	SPECIFIC GUIDELINES	Transferred from 10A NCAC 22O .0207 Eff. May 1, 2012	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
			10A NCAC 25H .0303	ANESTHESIA	Transferred from 10A NCAC 22O .0208 Eff. May 1, 2012	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
			10A NCAC 25H .0304	ANALGESIA	Transferred from 10A NCAC 22O .0209 Eff. May 1, 2012	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 25H .0305	DRUGS	Transferred from 10A NCAC 22O .0210 Eff. May 1, 2012	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code	
SUBCHAPTER 25K – DRUGS/PHARMACY	SECTION .0200 – PHARMACY SERVICES	10A NCAC 25K .0201	PHARMACY SERVICES	Transferred from 10A NCAC 22O .0118 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 440.90; 447.331; 42 U.S.C. 1396r-8(d)(1)(A)	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt	
	SECTION .0300 – DRUG USE REVIEW BOARD	10A NCAC 25K .0301	ESTABLISHMENT	Transferred from 10A NCAC 22M .0101 Eff. May 1, 2012	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1396r-8(g)(3)	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note	
			10A NCAC 25K .0302	MEMBERSHIPS	Transferred from 10A NCAC 22M .0102 Eff. May 1, 2012	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1396r-8(g)(3)(B)	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

G.S. 150B-21.3A Report for 10A NCAC Chapter 25, Medical Assistance Provided

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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(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		10A NCAC 25K .0303	CHAIRMEN	Transferred from 10A NCAC 22M .0103 Eff. May 1, 2012	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1396r-8(g)(3)(A)	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 25K .0304	ACTIVITIES	Transferred from 10A NCAC 22M .0104 Eff. May 1, 2012	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1396r-8(g)(3)	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0400 - PROSPECTIVE DRUG REVIEW	10A NCAC 25K .0401	PATIENT COUNSELING	Transferred from 10A NCAC 22M .0201 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1396r-8(g)(2)(A)(ii)	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	SECTION .0500 - RETROSPECTIVE DRUG USE REVIEW (DUR)	10A NCAC 25K .0501	RETROSPECTIVE DRUG USE REVIEW (DUR)	Transferred from 10A NCAC 22M .0301 Eff. May 1, 2012	Unnecessary	Yes If yes, include the citation to the federal law	42 U.S.C. 1396r-8(2)(b)	No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 25K .0502	SCREENING AND PATTERN ANALYSIS	Transferred from 10A NCAC 22M .0302 Eff. May 1, 2012	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1396r-8(g)(3)	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 25K .0503	INTERVENTIONS	Transferred from 10A NCAC 22M .0303 Eff. May 1, 2012	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1396r-8(g)	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 25K .0504	COMPLIANCE MONITORING	Transferred from 10A NCAC 22M .0304 Eff. May 1, 2012	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 U.S.C. 1396r-8(g)	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
SUBCHAPTER 25M - FACILITIES	SECTION .0200 - INPATIENT HOSPITAL SERVICES	10A NCAC 25M .0201	INPATIENT HOSPITAL SERVICES	Paragraphs (a)-(d) transferred from 10A NCAC 22O .0401 Eff. May 1, 2012 Paragraph (e) transferred from 10A NCAC 22O .0114 Eff. May 1, 2012 (Previously recodified from 10 NCAC 26B .0112 Eff. October 1, 1993 and recodified from 10 NCAC 26B .0113 Eff. January 1, 1998)	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	SECTION .0300 - OUTPATIENT HOSPITAL SERVICES	10A NCAC 25M .0301	HOSPITAL OUTPATIENT	Transferred from 10A NCAC 22O .0102 Eff. May 1, 2012	Unnecessary	Yes If yes, include the citation to the federal law	42 C.F.R. 440.20; 440.230	No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	SECTION .0400 - SKILLED NURSING FACILITY SERVICES	10A NCAC 25M .0401	SKILLED NURSING FACILITY	Paragraphs (a)-(c) transferred from 10A NCAC 22O .0116 Eff. May 1, 2012 (Previously recodified from 10 NCAC 26B .0114 Eff. October 1, 1993 and recodified from 10 NCAC 26B .0115 Eff. January 1, 1998; Paragraph (d) transferred from 10A NCAC 22O .0403 Eff. May 1, 2012	Unnecessary	Yes If yes, include the citation to the federal law	42 C.F.R. 440.40; 440.230(d)	No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	SECTION .0500 - OTHER FACILITIES	10A NCAC 25M .0501	THERAPEUTIC LEAVE	Transferred from 10A NCAC 22O .0409 Eff. May 1, 2012	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
SUBCHAPTER 25N - HEARING AND VISION	SECTION .0200 - HEARING SERVICES	10A NCAC 25N .0201	HEARING AID SERVICES	Transferred from 10A NCAC 22O .0109 Eff. May 1, 2012	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	SECTION .0300 - VISION SERVICES	10A NCAC 25N .0301	EYEGASSES AND OPTOMETRIC SERVICES	Transferred from 10A NCAC 22O .0105 Eff. May 1, 2012	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
SUBCHAPTER 25O - HOME AND COMMUNITY-BASED SERVICES	SECTION .0200 - HOME HEALTH SERVICES	10A NCAC 25O .0201	HOME HEALTH SERVICES	Paragraph (a) transferred from 10A NCAC 22O .0103 Eff. May 1, 2012; Paragraphs (b)-(e) transferred from 10A NCAC 22O .0406 Eff. May 1, 2012	Unnecessary	Yes If yes, include the citation to the federal law	42 C.F.R. 440.70; 440.230(d)	No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 25O .0202	PERSONAL CARE SERVICES	Paragraphs (a)-(b) transferred from 10A NCAC 22O .0120 Eff. May 1, 2012 (previously recodified from 10 NCAC 26B .0119 Eff. October 1, 1993 and recodified from 10 NCAC 26B .0120 Eff. January 1, 1998; Paragraphs (c)-(e) transferred from 10A NCAC 22P .0410 Eff. May 1, 2012	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code

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		10A NCAC 25O .0203	HOME INFUSION THERAPY	Transferred from 10A NCAC 22O .0125 Eff. May 1, 2012	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 25O .0204	PRIVATE DUTY NURSING	Transferred from 10A NCAC 22O .0122 Eff. May 1, 2012	Unnecessary	Yes If yes, include the citation to the federal law	42 C.F.R. 440.80	No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
SUBCHAPTER 25P – MEDICAL-SURGICAL	SECTION .0200 – INPATIENT HOSPITAL SERVICES	10A NCAC 25P .0201	INPATIENT HOSPITAL SERVICES	Transferred from 10A NCAC 22O .0401(e) Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 440.10	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	SECTION .0300 – OUTPATIENT HOSPITAL SERVICES	10A NCAC 25P .0301	OUTPATIENT HOSPITAL SERVICES	Transferred from 10A NCAC 22O .0402 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 440.20	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	SECTION .0400 – OTHER SERVICES	10A NCAC 25P .0401	PHYSICIAN SERVICES	Transferred from 10A NCAC 22O .0404 Eff. May 1, 2012	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 25P .0402	CLINIC SERVICES	Transferred from 10A NCAC 22O .0115 Eff. May 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 440.20	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		10A NCAC 25P .0403	CHIROPRACTIC SERVICES	Transferred from 10A NCAC 22O .0106 Eff. May 1, 2012	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 25P .0404	PODIATRIST SERVICES	Transferred from 10A NCAC 22O .0405 Eff. May 1, 2012	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 25P .0405	ABORTION	Transferred from 10A NCAC 22O .0117 Eff. May 1, 2012	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	42 C.F.R. 441, Subpart E	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 25P .0406	LABORATORY AND X-RAY SERVICES	Transferred from 10A NCAC 22O .0104(1)-(3) Eff. May 1, 2012	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
SUBCHAPTER 25S – OUT-OF-STATE SERVICES	SECTION .0200 – OUT-OF-STATE SERVICES	10A NCAC 25S .0201	OUT-OF-STATE SERVICES	Transferred from 10A NCAC 22O .0119 Eff. May 1, 2012	Unnecessary	Yes If yes, include the citation to the federal law	42 C.F.R. 431.52	No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
SUBCHAPTER 25U – RADIOLOGY	SECTION .0200 – X-RAY SERVICES	10A NCAC 25U .0201	LABORATORY AND X-RAY SERVICES	Transferred from 10A NCAC 22O .0105(4)-(5) Eff. May 1, 2012	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
SUBCHAPTER 25W – TRANSPORTATION	SECTION .0200 – AMBULANCE SERVICES	10A NCAC 25W .0201	AMBULANCE SERVICES	Transferred from 10A NCAC 22O .0110 Eff. May 1, 2012	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code