

G.S. 150B-21.3A Report for 10A NCAC Supchapter 70I, MINIMUM LICENSING STANDARDS FOR RESIDENTIAL CHILD-CARE

Agency - DHHS/Social Services Commission

Comment Period - December 14, 2015 to February 12, 2016

Date Submitted to APO - March 21, 2016

Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
SECTION .0100 - GENERAL LICENSING	10A NCAC 70I .0101	LICENSING ACTIONS	Amended Eff. August 1, 2011	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 70I .0102	LICENSING PROCESS	Amended Eff. October 1, 2008	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
SECTION .0200 - MINIMUM LICENSURE STANDARDS	10A NCAC 70I .0201	DEFINITIONS	Amended Eff. October 1, 2008	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 70I .0202	RESPONSIBILITY TO LICENSING AUTHORITY	Amended Eff. October 1, 2008	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 70I .0203	SUBSTANTIATIONS OF NEGLIGENCE AGAINST THE FACILITY	Amended Eff. October 1, 2008	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 70I .0204	LICENSURE PROCEDURES	Amended Eff. October 1, 2008	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
SECTION .0300 - ORGANIZATION AND ADMINISTRATION	10A NCAC 70I .0301	GOVERNANCE	Amended Eff. June 1, 2010	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 70I .0302	RESPONSIBILITIES OF THE GOVERNING BODY	Amended Eff. June 1, 2010	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 70I .0303	FINANCES AND INSURANCE	Amended Eff. October 1, 2008	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 70I .0305	RECORDKEEPING AND REPORTING	Amended Eff. October 1, 2008	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	Section 471(a)(20)(iii) of the Social Security Act	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 70I .0306	CLIENT RIGHTS	Amended Eff. October 1, 2008	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 70I .0307	GRIEVANCE PROCEDURES	Amended Eff. October 1, 2008	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0400 - PERSONNEL	10A NCAC 70I .0401	PERSONNEL POLICIES	Amended Eff. October 1, 2008	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
10A NCAC 70I .0402		PERSONNEL DEPLOYMENT	Amended Eff. October 1, 2008	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 70I .0403		PERSONNEL FILE	Amended Eff. October 1, 2008	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR 1356.30(f)	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 70I .0404		PERSONNEL QUALIFICATIONS	Amended Eff. August 1, 2011	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR 1356.30(f)	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 70I .0405		PERSONNEL POSITIONS	Amended Eff. June 1, 2010	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

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	10A NCAC 70I .0406	AUXILIARY SERVICES PERSONNEL	Eff. July 1, 1999 (See S.L. 1999, c.237, s. 11.30)	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 70I .0407	VOLUNTEERS	Amended Eff. October 1, 2008	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	45 CFR 1356.30(f)	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 .0500 - SERVICE PLANNING	10A NCAC 70I .0501	ADMISSION POLICIES	Amended Eff. October 1, 2008	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 70I .0502	ADMISSION PROCEDURES	Amended Eff. October 1, 2008	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 70I .0503	ADMISSION AGREEMENT	Amended Eff. October 1, 2008	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 70I .0504	ORIENTATION	Amended Eff. October 1, 2008	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 70I .0505	DISCHARGE POLICIES AND PROCEDURES	Amended Eff. October 1, 2008	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 70I .0506	CLIENT RECORDS	Amended Eff. October 1, 2008	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
SECTION .0600 - SERVICE DELIVERY	10A NCAC 70I .0601	PROGRAM POLICIES AND PRACTICES	Amended Eff. October 1, 2008	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 70I .0602	FAMILY INVOLVEMENT	Amended Eff. October 1, 2008	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 70I .0604	HEALTH SERVICES	Amended Eff. October 1, 2008	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 70I .0605	ROUTINE ASPECTS OF HEALTH, PERSONAL HYGIENE, AND SAFETY	Amended Eff. October 1, 2008	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 70I .0606	NUTRITION	Amended Eff. October 1, 2008	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 70I .0607	HEALTH EDUCATION	Eff. July 1, 1999 (See S.L. 1999, c. 237, s. 11.30)	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 70I .0608	EDUCATIONAL AND VOCATIONAL SERVICES	Eff. July 1, 1999 (See S.L. 1999, c. 237, s. 11.30)	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 70I .0609	RECREATION AND LEISURE ACTIVITIES	Amended Eff. October 1, 2008	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

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	10A NCAC 70I .0610	RELIGION AND SPIRITUAL DEVELOPMENT	Amended Eff. October 1, 2008	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 70I .0611	PERSONAL POSSESSIONS AND MONEY	Eff. July 1, 1999 (See S.L. 1999, c. 237, s. 11.30)	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 70I .0612	WORK	Amended Eff. October 1, 2008	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 70I .0613	DISCIPLINE AND BEHAVIOR MANAGEMENT	Amended Eff. November 1, 2009	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	10A NCAC 70I .0614	CRITICAL INCIDENTS AND CRITICAL INCIDENT REPORTS	Amended Eff. October 1, 2008	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 70I .0615	SEARCHES	Amended Eff. October 1, 2008	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
SECTION .0900 - PHYSICAL PLANT	10A NCAC 70I .0901	APPLICATION OF PHYSICAL PLANT REQUIREMENTS	Amended Eff. November 1, 2009	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	10A NCAC 70I .0902	DESIGN AND CONSTRUCTION	Amended Eff. November 1, 2009	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	10A NCAC 70I .0903	LOCATION	Eff. October 1, 2008	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 70I .0904	LIVING ARRANGEMENT	Eff. October 1, 2008	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 70I .0905	LIVING/ACTIVITY AREAS	Eff. October 1, 2008	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 70I .0906	DINING AREAS	Eff. October 1, 2008	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 70I .0907	KITCHEN	Eff. October 1, 2008	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 70I .0908	LAUNDRY ROOM	Eff. October 1, 2008	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 70I .0909	SLEEPING AREAS	Eff. October 1, 2008	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 70I .0910	BATHING AND TOILET AREAS	Eff. October 1, 2008	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

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	10A NCAC 701 .0911	CORRIDORS	Eff. October 1, 2008	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 701 .0912	OUTSIDE ENTRANCES AND EXITS	Eff. October 1, 2008	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 701 .0913	FLOORS	Eff. October 1, 2008	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 701 .0914	HOUSEKEEPING AND FURNISHINGS	Eff. October 1, 2008	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 701 .0915	FIRE SAFETY AND DISASTER PLAN	Eff. October 1, 2008	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 701 .0916	BUILDING SERVICE EQUIPMENT	Eff. October 1, 2008	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 701 .0917	OUTSIDE PREMISES	Eff. October 1, 2008	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 701 .0918	VEHICLES USED FOR TRANSPORTATION OF CHILDREN	Amended Eff. November 1, 2009	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note