REQUEST FOR TECHNICAL CHANGE

AGENCY: DEPARTMENT OF HEALTH AND HUMAN SERVICES – DIVISION OF HEALTH SERVICE REGULATION

RULE CITATION: 10A NCAC 14A .0102

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

***NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Presumably this rule was adopted pursuant to the grant of authority in G.S. 143B-10(j)(2). That provision requires the approval of the Governor. Please send some documentation that the Governor has approved the amendment of this rule or cite the authority for your agency to adopt the rule without the Governor's approval.*

*In (a), change "adopted" to "incorporated." Tell whether the incorporated material includes subsequent amendments or editions.*

*End (a)(1) with a period.*

*Presumably you are not incorporating all of 10A NCAC 01 by reference but only 10A NCAC 01A Section .0100. Please make that clear throughout the rule.*

*The phrase "Office of the General Counsel" does not seem to exist in 10A NCAC 01A .0100. Either delete (a)(3) or change the phrase to whatever you really mean.*

*In (b), give the cost for obtaining copies or better yet, give a citation to the website where the rules may be found.*

*Correct your history note by showing your "Amended Eff." date.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

REQUEST FOR TECHNICAL CHANGE

AGENCY: DEPARTMENT OF HEALTH AND HUMAN SERVICES – DIVISION OF HEALTH SERVICE REGULATION

RULE CITATION: 10A NCAC 14A .0202

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Presumably this rule was adopted pursuant to the grant of authority in G.S. 143B-10(j)(2). That provision requires the approval of the Governor. Please send some documentation that the Governor has approved the amendment of this rule or cite the authority for your agency to adopt the rule without the Governor's approval.*

*In (a), delete or define "appropriate."*

*Correct your history note by showing your "Amended Eff." date.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

REQUEST FOR TECHNICAL CHANGE

AGENCY: DEPARTMENT OF HEALTH AND HUMAN SERVICES – DIVISION OF HEALTH SERVICE REGULATION

RULE CITATION: 10A NCAC 14A .0303

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Correct your history note by showing your "Amended Eff." date.*

*If the Medical Care Commission took action amending this rule, please correct your form and send me copies of the minutes showing the action.*

*In (a), delete "in accordance with the Rules in 10A NCAC 14A .0300." It appears that the next sentence is the only requirement.*

*In (c), change "shall waive" to "has waived." Write the last sentence in active voice telling who is required to notify.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

REQUEST FOR TECHNICAL CHANGE

AGENCY: DEPARTMENT OF HEALTH AND HUMAN SERVICES – DIVISION OF HEALTH SERVICE REGULATION

RULE CITATION: 10A NCAC 14A .0304

DEADLINE FOR RECEIPT: Tuesday, December 13, 2011

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Correct your history note by showing your "Amended Eff." date.*

*If the Medical Care Commission took action amending this rule, please correct your form and send me copies of the minutes showing the action.*

*Delete or define "promptly."*

*Define, or cite where definitions can be found for "immediate family member" and "authorized representative."*

*Change each "will" to "shall."*

*Write the last sentence in active voice telling who is to serve notice.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.