REQUEST FOR TECHNICAL CHANGE

AGENCY: NC MEDICAL CARE COMMISSION

RULE CITATION: 10A NCAC 13D .2106

DEADLINE FOR RECEIPT: WEDNESDAY, DECEMBER 12, 2012

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

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met 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 one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*In (d) line 21 delete or define “prominent.” It seems to me that the word is probably not necessary since it should be posted in the same location as the “full license.”*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC MEDICAL CARE COMMISSION

RULE CITATION: 10A NCAC 13D .2203

DEADLINE FOR RECEIPT: WEDNESDAY, DECEMBER 12, 2012

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*In (b) line 10 it seems to me that the sentence beginning “During the resident’s ...” at the end of the line is actually a separate rule and should be a new paragraph (c).*

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Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC MEDICAL CARE COMMISSION

RULE CITATION: 10A NCAC 13D .2210

DEADLINE FOR RECEIPT: WEDNESDAY, DECEMBER 12, 2012

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*In (b) line 9 I believe that “health care facility” should be “... facility’s.”*

*Further in that same line it seems to me that “all allegations” would “sound” better if it read “any allegation.” If you don’t make that change then in the next line “includes” needs to be changed to “include.”*

*In (c) lines 18 through 21 there is a reference to 42 CFR Part 430 et seq, which was deleted as a requirement in lines 15 and 16. As it is now the reference makes no sense.*

*Please verify that in (b) an administrator of a covered facility must report certain allegations, which go beyond “abuse, neglect, [or] misappropriation of resident property” and include actions against the facility while in (c) and (d) the investigation and report that must be transmitted concern only the allegations of “abuse, neglect, [or] misappropriation of resident property.”*

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Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC MEDICAL CARE COMMISSION

RULE CITATION: 10A NCAC 13D .2301

DEADLINE FOR RECEIPT: WEDNESDAY, DECEMBER 12, 2012

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*Please cite specific authority to set the staffing requirements in (c) of this rule.*

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If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC MEDICAL CARE COMMISSION

RULE CITATION: 10A NCAC 13D .2303

DEADLINE FOR RECEIPT: WEDNESDAY, DECEMBER 12, 2012

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*Please cite specific authority to set the staffing requirements in this rule.*

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Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC MEDICAL CARE COMMISSION

RULE CITATION: 10A NCAC 13D .2604

DEADLINE FOR RECEIPT: WEDNESDAY, DECEMBER 12, 2012

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met 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 one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*In (c) line 31 please change “be labeled as described in Subparagraph (b) of this Rule or with at least:” to “be labeled with at least:”.*

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If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC MEDICAL CARE COMMISSION

RULE CITATION: 10A NCAC 13P – ALL RULES SUBMITTED

DEADLINE FOR RECEIPT: WEDNESDAY, DECEMBER 12, 2012

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*Please verify that all the Subchapter 13P rules implementing Article 56, the Emergency Medical Services Act of 1973, in Chapter 143 and Articles 7 and 7A of Chapter 131 have been adopted with the advice of the Emergency Medical Services Advisory Council as required by G.S. 143-508.*

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Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC MEDICAL CARE COMMISSION

RULE CITATION: 10A NCAC 13P .1501

DEADLINE FOR RECEIPT: WEDNESDAY, DECEMBER 12, 2012

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*The formatting of this rule requires items (1) – (4) to be at the first level in line with the first paragraph.*

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Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC MEDICAL CARE COMMISSION

RULE CITATION: 10A NCAC 13P .1502

DEADLINE FOR RECEIPT: WEDNESDAY, DECEMBER 12, 2012

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*In (b)(4) line 17 change “EMS provider’s …” to “EMS Provider of the provider’s …” or “EMS Provider of the right …” or similar language or construction. Another possibility is to change “notice to” to “notice of.”*

*In (c) line 20 delete or define “prominent.”*

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Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC MEDICAL CARE COMMISSION

RULE CITATION: 10A NCAC 13P .1503

DEADLINE FOR RECEIPT: WEDNESDAY, DECEMBER 12, 2012

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*In (a) since (1), (3) and (4) all begin with nouns, I would change “obtained or attempted to obtain” to “obtaining or attempting to obtain” or some similar noun or noun construction.*

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Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC MEDICAL CARE COMMISSION

RULE CITATION: 10A NCAC 13P .1504

DEADLINE FOR RECEIPT: WEDNESDAY, DECEMBER 12, 2012

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*I would keep .1504 in parallel with the other 13P rules, with the change suggested for them as well, by changing (a)(2) “attempted” to “obtaining or attempting to obtain.”*

*In (c)(5) line 22 add at the beginning “the trauma center.”*

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Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC MEDICAL CARE COMMISSION

RULE CITATION: 10A NCAC 13P .1505

DEADLINE FOR RECEIPT: WEDNESDAY, DECEMBER 12, 2012

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*In (c)(5) line 26 add at the beginning “the trauma center.”*

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Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC MEDICAL CARE COMMISSION

RULE CITATION: 10A NCAC 13P .1507

DEADLINE FOR RECEIPT: WEDNESDAY, DECEMBER 12, 2012

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*In (b)(9) line 31 re-punctuate the line as follows: “… by reason of illness; use of alcohol, drugs, chemicals, or any other type of material ….”*

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Joseph J. DeLuca, Jr.

Commission Counsel