REQUEST FOR TECHNICAL CHANGE

AGENCY: NC COMMISSION FOR MH / DD / SAS

RULE CITATION: 10A NCAC 27G .0813

DEADLINE FOR RECEIPT: FRIDAY, OCTOBER 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.

*Please have Amanda Reeder sign the submission form.*

*In (a)(5) it seems to me that a better structure for this subparagraph would be:*

*(5) documentation of governing body approval when requests are from:*

 *(A) a Local Management Entity (LME);*

 *(B) a Local Management Entity – Managed Care Organization (LME-MCO);*

 *(C) contract agencies of an LME or LME-MCO; or*

 *(D) private facilities not contracting with an LME or LME-MC0.*

*If that is not the intent of the rule, then I don’t understand what it is requiring or who is subject to it.*

*If you want to maintain the single sentence structure, then I suggest changing what I proposed above by removing the colon after “from:”, removing “(A)” through “(D),” and keeping the same wording and punctuation as above.*

*The same structure should probably be used using the same wording and punctuation in (c)(5). There is too much running together and not enough punctuation or conjunctions, or improper punctuation or conjunctions.*

*In (h) I assume the waiver being discussed in lines 9 – 11 is either a waiver filed after the license renewal application was filed or more likely a license “renewal” waiver request. Please clarify.*

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