

10A NCAC 09 .2830 MAINTAINING THE STAR RATING

(a) A representative of the Division may make announced or unannounced visits to facilities to assess on-going compliance with the requirements of a star rating after it has been issued. When the Division representative documents violations with the standards that determine a rating, the representative shall take one or more of the following actions:

- (1) advise the operator to submit written verification that the violations have been corrected;
- (2) return to the facility for an unannounced visit at a later date to determine if compliance has been achieved;
- (3) recommend an Environmental Rating Scale assessment be conducted;
- (4) recommend a complete reassessment of requirements of the star rating issued to the facility;
- (5) recommend that the star rating be reduced; or
- (6) recommend administrative action in accordance with G.S. 110, Article 7 and this Chapter.

(b) If changes unrelated to employment occur at a facility that result in the operator not complying with the standards in this Section for the star rating issued, the operator shall correct the noncompliance within 30 days. If the operator does not correct the noncompliance within 30 days, the operator shall notify the Division. Based upon the information obtained, the Division shall take any of the actions described in Paragraph (a) of this Rule.

(c) If employment-related changes occur at a facility that result in the operator not complying with the standards in the Section for the star rating issued, the operator shall correct the noncompliance within 120 days. If the operator does not correct the noncompliance within 120 days, the operator shall notify the Division. Based upon the information obtained, the Division shall take any of the actions described in Paragraph (a) of this Rule.

(d) A complete assessment of requirements for a rated license of two stars or higher shall be conducted at least once every three years. The Division shall provide for one evaluation of program standards using the environment rating scales referenced in Rule .2802(e), free of charge, once every three years when reassessing the ratings of operators with three to five points for program standards.

*History Note: Authority G.S. 110-88(7); 110-90(4); 143B-168.3;
Eff. April 1, 1999;
Recodified from Rule .2809 Eff. May 1, 2006;
Recodified from Rule .2824 Eff. August 1, 2012;
Readopted Eff. March 1, 2019.*