

**10A NCAC 13B .3111 TEMPORARY CHANGE IN BED CAPACITY**

(a) A hospital may temporarily increase its bed capacity by up to 10 percent over its licensed bed capacity, as determined by the administrator, by utilizing observational beds for inpatients for a period of no more than 60 consecutive days following approval by the Division of Health Service Regulation.

(b) To qualify for a temporary change in licensed capacity, the hospital census shall be at least 90 percent of its licensed bed capacity, excluding beds that are under renovation or construction, and the hospital must demonstrate conditions requiring the temporary increase that may include but are not limited to the following:

- (1) natural disaster;
- (2) catastrophic event; or
- (3) disease epidemic.

(c) The Division may approve a temporary increase in licensed beds only if:

- (1) It is determined that the request has met the requirements of Paragraphs (a) and (b) of this Rule; and
- (2) The hospital administrator certifies that the physical facilities to be used are adequate to safeguard the health and safety of patients. However this approval shall be revoked if the Division determines, as a result of a physical site visit, that these safeguards are not adequate to safeguard the health and safety of patients.

*History Note: Authority G.S. 131E-79;  
Eff. April 1, 2003;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017.*