

10A NCAC 13F .0204 APPLYING FOR A LICENSE TO OPERATE A FACILITY NOT CURRENTLY LICENSED

(a) Prior to submission of a license application, all Certificate of Need requirements shall be met according to G.S. 131E, Article 9.

(b) In applying for a license to operate an adult care home to be constructed or renovated, or in an existing building that is not currently licensed, the applicant shall submit the following to the Division of Health Service Regulation:

- (1) the Initial License Application that is available online at <https://info.ncdhhs.gov/dhsr/acls/pdf/fchgapp.pdf> at no cost and includes the following:
 - (A) contact person, facility site and mailing addresses, and administrator;
 - (B) operation disclosure including names and contact information of the licensee, management company, and building owner;
 - (C) ownership disclosure including names and contact information of owners, principals, affiliates, shareholders, and members; and
 - (D) bed capacity including that of any special care unit for Alzheimer's and Related Disorders;
- (2) plans and specifications as required in Section .0300 of this Subchapter and a construction review fee according to G.S. 131E-267 to be calculated and invoiced by the DHSR Construction Section;
- (3) an approved fire and building safety inspection report from the local fire marshal to be submitted upon completion of construction or renovation;
- (4) an approved sanitation report or a copy of the permit to begin operation from the sanitation division of the county health department to be submitted upon completion of construction or renovation;
- (5) a nonrefundable license fee as required by G.S. 131E-272; and
- (6) a certificate of occupancy or certification of compliance from the local building official to be submitted upon completion of construction or renovation.

(c) Issuance of an adult care home license shall be based on the following:

- (1) completion of and approval in accordance with Subparagraphs (b)(1) through (b)(6) of this Rule;
- (2) the Division of Health Service Regulation's Construction Section's recommendation of licensure based on compliance with rules in Section .0300 of this Subchapter;
- (3) a compliance history review of the facility and its principals and affiliates according to G.S. 131D-2.4;
- (4) approval by the Adult Care Licensure Section of the facility's operational policies and procedures based on compliance with the rules of this Subchapter; and
- (5) the facility's demonstration of compliance with Adult Care Home statutes and rules of this Subchapter as determined by a pre-licensing survey of the facility by the Adult Care Licensure Section.

(d) The Adult Care Licensure Section shall notify in writing the applicant licensee and the county department of social services of the decision to license or not to license the adult care home based on compliance with adult care home statutes and the rules of this Subchapter within 14 days from the decision to license or not to license the facility.

*History Note: Authority G.S. 131D-2.4; 131D-2.5; 131D-2.16; 143B-165;
Readopted Eff. October 31, 1977;
Amended Eff. April 1, 1984;
Temporary Amendment Eff. September 1, 2003;
Amended Eff. June 1, 2004;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018;
Amended Eff. June 1, 2020.*