

### **10A NCAC 23G .0203 TIME LIMITS FOR CORRECTIONS**

(a) The county department of social services and Division shall make corrections required by Rule .0202 of this Section within 30 days after discovery of the need for action unless good cause exists to extend the time limit.

(b) For the purposes of this Rule, "good cause" is limited to:

- (1) The need of the county department of social services to obtain verification, as defined at 10A NCAC 23A .0102, of other conditions of eligibility before authorizing eligibility;
- (2) The county department of social services is unable to locate the applicant or recipient; or
- (3) The county department of social services disagrees with a decision requiring corrective action and requests administrative review by the Division. In the case of disagreement under Rule .0202(a)(2) of this Section, administrative review by the Division shall be limited to decisions issued pursuant to G.S. 108A-79(j).

(c) To receive State and federal financial participation in any benefits authorized retroactively by corrective actions, the effective date of the correction must correspond with the date assistance would have been effective but may be no earlier than the following dates:

- (1) Retroactive to the date ordered by the appeal or court decision if all eligibility conditions are met, including any legal retroactive coverage period associated with the adverse action;
- (2) Retroactive to the date that all requirements of eligibility are met but no earlier than the 12<sup>th</sup> month immediately preceding the month the change is reported or the administrative error was discovered; or
- (3) Retroactive to the date required for corrective action due to errors cited from monitoring under application processing standards in 10A NCAC 23C .0202.

(d) If the change is adverse to the recipient, it shall be effective the first calendar month following expiration of the 10 business day advance notice period, as defined in 10A NCAC 23A .0102.

*History Note: Authority G.S. 108A-54; 108A-54.1B; 42 C.F.R. 431.246; 42 C.F.R. 431.250; 42 C.F.R. 435.903; Eff. June 1, 1990;  
Temporary Amendment Eff. March 1, 2003;  
Amended Eff. August 1, 2004;  
Transferred from 10A NCAC 21A .0603 Eff. May 1, 2012;  
Readopted Eff. August 1, 2019.*