

10A NCAC 27G .0402 LICENSE ISSUANCE

- (a) Applications for licensure shall be requested and completed on the form provided by DSHR at least 30 days prior to the planned operation date of a new facility. Copies of reports, findings or recommendations issued by any accreditation agency and corrective action plans shall be submitted with the application for licensure.
- (b) The content of license applications shall include:
- (1) Name of person (as defined in G.S. 122C-3) submitting the application;
 - (2) Business name of facility, if applicable;
 - (3) Street location of the facility (including multiple addresses if more than one building at one site);
 - (4) Name and title of the operator of the facility;
 - (5) Type of facility; services offered; ages served; and, when applicable, capacity and a floor plan showing bed locations and room numbers, any unlocked time-out rooms, and any locked interior or exterior doors which would prohibit free egress of clients; and
 - (6) Indication of whether the facility is operated by an area program, is under contract with an area program, or is a private facility; and
 - (7) All application for a new license shall disclose the names of individuals who are owners, partners or shareholders holding an ownership or controlling interest of 5% or more of the applicant entity.
- (c) DSHR shall conduct an on-site inspection to determine compliance with all rules and statutes. If the facility is operated by or contracted with an area program, DSHR may, in lieu of conducting an on-site inspection, accept written verification from the area program or DMH/DD/SAS that the area program or DMH/DD/SAS has conducted an on-site review and the facility is in compliance with rules and statutes. The written verification shall be in such form as DSHR may require.
- (d) DSHR shall issue a license after it determines a facility is in compliance with:
- (1) Certificate of Need law (G.S. 131E-183) and Certificate of Need rules as codified in 10A NCAC 14C .2400, .2500, or .2600, whichever is applicable;
 - (2) Building Code and physical plant requirements in these Rules;
 - (3) Annual fire and safety and sanitation requirements, with the exception of a day/night or periodic service that does not handle food for which a sanitation inspection report is not required; and
 - (4) Applicable rules and statutes.
- (e) Licenses shall be issued to the specific premise for types of services indicated on the application.
- (f) A separate license shall be required for each facility which is maintained on a separate site, even though the sites may be under the same ownership or management.

*History Note: Authority G.S. 122C-3; 122C-23;
Eff. May 1, 1996;
Amended Eff. July 1, 2004;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20, 2019;
Amended Eff. September 1, 2021.*