

10A NCAC 28A .0207 DUTIES

(a) The duties of the Human Rights Committees are as follows:

- (1) review of compliance with laws in G.S. 122C, Article 3, dealing with the rights of clients, and reviewing the state facility's compliance with the human rights rules in this Subchapter and Subchapter 28B through 28D of this Chapter;
- (2) reviewing and assessing the efficiency of existing and proposed methods and procedures for protecting the rights of clients of their respective state facilities;
- (3) serving as an independent review body to hear and make recommendations concerning alleged violations of the rights of individuals and groups brought by clients, client advocates, parents, guardians, state facility employees, or others, in compliance with Rule .0209 of this Section for any necessary review of the client record;
- (4) reviewing programs and services that deal with the legal and human rights of clients;
- (5) reviewing cases of alleged abuse, neglect or exploitation or failure to provide services of whatever nature brought by clients, client advocates, parents, guardians, state facility employees, or others, in compliance with Rule .0209 of this Section for any necessary review of the client record;
- (6) reviewing cases brought by clients, client advocates, parents, guardians, state facility employees, or others regarding the use of seclusion, physical or mechanical restraint, intrusive or aversive procedures, electroconvulsive therapy, medication prescribed above recommended dosages as specified in 10A NCAC 28I .0300 or any procedures carried out against the will of the client. The Committee may determine the extent of the review, including but not limited to statistical review and individual case review involving a review in compliance with Rule .0209 of this Section of the client record;
- (7) reviewing complaints, grievances or other client rights issues of concern brought by clients, client advocates, parents, guardians, state facility employees, or others in compliance with Rule .0209 of this Section for any necessary review of the client record; and
- (8) reviewing any issues of concern brought by the State Facility Director, Division Director, a Deputy Director, or the Secretary.

(b) The duties listed in Paragraph (a) of this Rule shall not be interpreted to allow human rights committees to concern themselves with the management of the respective state facilities except where there is an issue of violation of a client's rights.

(c) Annually, by September 1, each committee shall submit, through the Division Director to the Secretary, a report of its activities, accomplishments, and recommendations for the previous year, July 1 through June 30.

*History Note: Authority G.S. 122C-64; 131E-67; 143B-10; 143B-147;
Eff. October 1, 1984;
Amended Eff. July 1, 1989;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 24, 2017.*