

SECTION .0200 – PROTECTIONS REGARDING CERTAIN PROCEDURES

10A NCAC 28D .0201 LEAST RESTRICTIVE ALTERNATIVE AND PROHIBITED PROCEDURES

- (a) Each facility shall provide services/supports that promote a safe and respectful environment. These include:
- (1) using the least restrictive and most appropriate settings and methods;
 - (2) promoting coping and engagements skills that are alternatives to injurious behavior towards self or others;
 - (3) providing choices of activities meaningful to the clients serviced/supported; and
 - (4) sharing of control over decisions with the client/legally responsible person and staff.
- (b) The use of a restrictive intervention procedure designed to reduce a behavior shall always be accompanied by actions designed to insure dignity and respect during and after the intervention. These include:
- (1) using the intervention as a last resort; and
 - (2) employing the intervention by people trained in its use.
- (c) Each state facility shall develop policies relative to prohibited interventions. Such policies shall specify:
- (1) those interventions which have been prohibited by statute or rule which shall include:
 - (A) any intervention which would be considered corporal punishment under G.S. 122C-59;
 - (B) the contingent use of painful body contact;
 - (C) substances administered to induce painful bodily reactions exclusive of Antabuse;
 - (D) electric shock (excluding medically administered electroconvulsive therapy);
 - (E) insulin shock; and
 - (F) psychosurgery; and
 - (2) those interventions specified in this Subchapter determined by the state facility director to be unacceptable for use in the state facility. Such policies shall specify interventions prohibited by funding sources including the use of seclusion or the emergency use of isolation time out in an ICF/MR facility.
- (d) In addition to the procedures prohibited in Paragraph (c) of this Rule, the state facility director may specify other procedures which shall be prohibited.

*History Note: Authority G.S. 122C-51; 122C-57; 122C-59; 143B-147;
Eff. October 1, 1984;
Amended Eff. November 1, 1993; July 1, 1989;
Temporary Amendment Eff. January 1, 2001;
Amended Eff. August 1, 2002;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018.*