

TITLE 10A – DEPARTMENT OF HEALTH AND HUMAN SERVICES

Notice is hereby given in accordance with G.S. 150B-21.3A(c)(2)g. that the DHHS - Division of Aging and Adult Services intends to readopt with substantive changes the rule cited as 10A NCAC 06Q .0201 and readopt without substantive changes the rule cited as 10A NCAC 06Q .0101.

Pursuant to G.S. 150B-21.2(c)(1), the text of rules to be readopted without substantive changes are not required to be published. The text of the rules is available on the OAH website: <http://reports.oah.nc.us/ncac.asp>.

Link to agency website pursuant to G.S. 150B-19.1(c): www.ncdhhs.gov/divisions/daas

Proposed Effective Date: July 1, 2019

Public Hearing:

Date: March 26, 2019

Time: 10:00 a.m.

Location: N.C. Division of Aging and Adult Services, 693 Palmer Drive, Raleigh, NC 27603, Room 301

Reason for Proposed Action: 10A NCAC 06Q .0201 specifies the maximum reimbursement rates for Adult Day Care and Adult Day Health which has not been updated since 1992 and does not reference rate increases in 1997 (S.L 1997-443), 2004 (S.L. 2004-124), and (S.L. 2006-52) which included \$5.00 increase in the rates in the last two Appropriation Budget Acts. By updating this rule, the rates cited in the appropriation statutes will be equal to the cumulative rates allocated by the General Assembly and equal to those cited in 10A NCAC 06T .0201. In addition, the transportation rate needs to be updated to reflect the rate as cited in 10A NCAC 06T .0201.

Comments may be submitted to: Misty Piekaar-McWilliams, 2101 Mail Service Center, Raleigh, NC 27699-2101, 693 Palmer Drive, Raleigh, NC 27609, phone (919) 855-4980, fax (919) 715-0364, email Misty.Piekaar@dhhs.nc.gov

Comment period ends: April 30, 2019

Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission after the adoption of the Rule. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 919-431-3000.

Fiscal impact (check all that apply).

- State funds affected
- Environmental permitting of DOT affected
Analysis submitted to Board of Transportation
- Local funds affected
- Substantial economic impact (≥\$1,000,000)
- Approved by OSBM
- No fiscal note required by G.S. 150B-21.4
- No fiscal note required by G.S. 150B-21.3A(d)(2)

CHAPTER 06 - AGING - PROGRAMS OPERATIONS

SUBCHAPTER 06Q - ADULT DAY CARE

SECTION .0100 - SCOPE OF ADULT DAY CARE

10A NCAC 06Q .0101 ADULT DAY CARE STANDARDS (READOPTION WITHOUT SUBSTANTIVE CHANGES)

SECTION .0200 - REQUIREMENTS

10A NCAC 06Q .0201 MAXIMUM REIMBURSEMENT RATES

(a) The maximum reimbursement rate for adult day care services shall not exceed ~~twenty one dollars~~ thirty-three dollars and seven cents (\$33.07) per day and shall not exceed ~~four hundred and fifty five dollars (\$455.00)~~ per month, per client. The maximum rate for adult day health services shall not exceed forty dollars (\$40.00) per day, per client.

(b) The maximum reimbursement rate for transporting an adult day care client to an adult day care center shall not exceed one dollar and ~~four~~ fifty cents (~~\$1.04~~)(\$1.50) for a one-way trip. The maximum reimbursement rate for round-trip transportation of an adult day

care client to an adult day care center shall not exceed ~~two~~ three dollars and ~~eight cents (\$2.08)~~ (\$3.00) per day, per client, ~~not to exceed~~
~~forty five dollars (\$45.00) per month.~~ client.

History Note: Authority G.S. 143B-181.1(c);
Eff. July 1, ~~1992~~ 1992;
Readopted Eff. July 1, 2019.