

10A NCAC 01C .0305 RESPONSE TO REQUEST AND APPEAL RIGHTS

(a) Within 30 days of receipt of a completed request for reimbursement, the facility director or designee shall respond to the request for reimbursement.

(b) If no response is received or if a negative response is received, the employee, volunteer, or client may file a request for reconsideration with the division director or designee. The facility director shall forward all pertinent information to the division director or designee for review within ten days of receipt of a request for that information.

(c) Within 15 days of receipt of the request for reconsideration, the division director or designee shall issue a response to the request. If no response or a negative response is received, the employee, volunteer, or client may then request a contested case hearing in accordance with G.S. 150B-23 by submitting a petition for hearing to the Office of Administrative Hearings. The final administrative decision shall be issued by the Director, Division of Budget and Analysis or designee. Nothing in this Section shall be construed as superseding the requirements of G.S. 143-127.5 that payment of any claim for reimbursement shall be subject to the identification of funds by the facility to cover the cost of reimbursement.

History Note: Authority G.S. 143-127.2; 143-127.5; 143-127.6; 150B-23;
Eff. June 1, 1987;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 23, 2017.