

10A NCAC 06R .0102 CORRECTIVE ACTION

(a) Adult day care programs shall be inspected annually and monitored in accordance with the Division of Aging and Adult Services criteria to assure compliance with the rules governing adult day care programs. These visits shall be announced and unannounced. Where a violation of G.S. 131D-6 or of this Subchapter is identified by staff of the county department of social services, the Division of Aging and Adult Services, or any State or local government inspector such as environmental health specialists, building and fire safety inspectors, the program director of the adult day care program shall be notified in writing of the nature of the violation by that inspector and requested to take corrective action by the county department of social services. Pursuant to G.S. 108A-14(a)(5), the county department of social services shall determine, in consultation with the program director, the date by which corrective action shall be completed based upon the severity of the violation and the effect of the violation on the participants of the program.

(b) Where a violation is a danger to the participants' health, safety or welfare, the program director or his or her designee shall take corrective action at the time the violation is identified to correct the source of danger or to remove the participants from the source of danger. The corrective action shall be documented in writing within 72 hours.

(c) Where a violation has the potential to endanger the participants' health, safety, or welfare, the program director shall take corrective action. The date specified for the completion of the corrective action shall be no later than 30 days of written notification.

(d) Where a violation does not endanger the participants' health, safety or welfare, such as a violation of administrative or record keeping standards, the program director shall take corrective action. The date specified for the completion of the corrective action shall be within 90 days of written notification.

(e) Failure to take corrective action as required by Paragraphs (b), (c), and (d) of this Rule constitutes a willful violation of the standards for certification of adult day care programs. Willful violation shall lead to disciplinary action as set forth in Rules .0802, .0804, and .0805 of this Subchapter.

*History Note: Authority G.S. 131D-6; 143B-153(2a); 143B-153(6); 42 USC 3026(a)(13)(E);
Eff. January 1, 1986;
Amended Eff. July 1, 2007; June 1, 2000; July 1, 1990;
Readopted Eff. September 1, 2019.*