

10A NCAC 13P .1503 SPECIALTY CARE TRANSPORT PROGRAMS

(a) The Department shall deny the initial or renewal approval, without first allowing a focused review, of a SCTP for any of the following reasons:

- (1) failure to comply with the provisions of G.S.131E, Article 7 and the rules adopted under that Article;
- (2) obtaining or attempting to obtain approval through fraud or misrepresentation;
- (3) endangerment to the health, safety, or welfare of patients cared for by the SCTP; or
- (4) repeated deficiencies placed on the program in previous site visits.

(b) When an SCTP is required to have a focused review, it must demonstrate compliance with the provisions of G.S. 131E, Article 7 and the rules adopted under that Article within 12 months or less.

(c) The Department shall revoke an SCTP approval at any time or deny a request for renewal of approval whenever the Department finds that the SCTP failed to comply with the provisions of G.S.131E, Article 7 and the rules adopted under that Article; and

- (1) it is not probable that the SCTP can remedy the deficiencies within 12 months or less;
- (2) although the SCTP may be able to remedy the deficiencies, it is not probable that the SCTP shall be able to remain in compliance with designation rules for the foreseeable future;
- (3) the SCTP fails to meet the requirements of a focused review;
- (4) endangerment to the health, safety, or welfare of patients cared for or transported by the SCTP;
- (5) fails to provide SCTP services within the defined service area in a timely manner as determined by the Department;
- (6) continues to operate within an EMS System after a Board of County Commissioners has terminated its affiliation with the SCTP; or
- (7) alters, destroys or attempts to destroy evidence needed for a complaint investigation.

(d) The Department shall give the SCTP written notice of revocation. This notice shall be given personally or by certified mail and shall set forth:

- (1) the factual allegations;
- (2) the statutes or rules alleged to be violated; and
- (3) notice of the program's right to a contested case hearing on the revocation of the approval.

(e) Focused review is not a procedural prerequisite to the revocation of an approval pursuant to Paragraph (c) of this Rule.

History Note: Authority 143-508(d)(10), (d)(13);

Eff. January 1, 2013;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2, 2016.