

## 10A NCAC 14C .0202 DEFINITIONS

The following definitions shall apply throughout this Subchapter:

- (1) "Applicant" means each person identified in Section A of the application forms listed in 10A NCAC 14C .0203(a).
- (2) "Application deadline" means no later than 5:00 p.m. on the 15th day of the month preceding the month that the review period begins. If the 15th day of the month falls on a weekend or a State holiday as set forth in 25 NCAC 01E .0901, which is hereby incorporated by reference including subsequent amendments, the application deadline is the next business day.
- (3) "Competitive review" means two or more applications submitted to begin review in the same review period proposing the same new institutional health service in the same service area and the CON Section determines that approval of one application may require denial of another application included in the same review period.
- (4) "CON Section" means the Healthcare Planning and Certificate of Need Section of the Division of Health Service Regulation.
- (5) "Full fiscal year" means the 12-month period used by the applicant to track and report revenues and operating expenses for the services proposed in the application.
- (6) "Health service" shall have the same meaning as defined in G.S. 131E-176(9a).
- (7) "New institutional health service" shall have same meaning as defined in G.S. 131E-176(16).
- (8) "Person" shall have the same meaning as defined in G.S. 131E-176(19).
- (9) "Proposal" means a new institutional health service that requires a certificate of need.
- (10) "Related entity" means a person that:
  - (a) shares the same parent corporation or holding company with the applicant;
  - (b) is a subsidiary of the same parent corporation or holding company as the applicant; or
  - (c) participates with the applicant in a joint venture that provides the same type of health services proposed in the application.
- (11) "Review category" means the categories described in Chapter 3 of the annual State Medical Facilities Plan.
- (12) "Review period" means the 90 to 150 days that the CON Section has to review a certificate of need application and issue a decision pursuant to G.S. 131E-185 and G.S. 131E-186. There are eleven review periods each calendar year. Each review period starts on the first day of the month and the first review period starts on February 1. There is no review period beginning January 1.
- (13) "State Medical Facilities Plan" shall have the same meaning as defined in G.S. 131E-176(25). For purposes of this Subchapter, the annual State Medical Facilities Plan is hereby incorporated by reference, including subsequent amendments and editions. This document is available at no cost at <https://info.ncdhhs.gov/dhsr/ncsmfp/index.html>.
- (14) "USB flash drive" means a device used for data storage that includes a flash memory and an integrated universal serial bus interface.

### *History Note:*

*Authority G.S. 131E-177;*

*Eff. October 1, 1981;*

*Amended Eff. January 1, 1990; January 1, 1987;*

*Temporary Amendment Eff. September 1, 1993 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;*

*Amended Eff. November 1, 1996; January 4, 1994;*

*Temporary Amendment Eff. January 1, 2000;*

*Amended Eff. April 1, 2001;*

*Readopted Eff. January 1, 2021.*