

SUBCHAPTER 22N – PROVIDER ENROLLMENT

SECTION .0100 – GENERAL

10A NCAC 22N .0101 DEFINITIONS

- (a) For the purpose of this Subchapter, a "provider" is defined as in G.S. 108C-2(10).
(b) For the purpose of this Subchapter, an "owner" is defined as in G.S. 108C-2(9).

History Note: Authority G.S. 108A-54; 108C-2(9),(10); 143B-139.1; 42 C.F.R. 400.203; 42 C.F.R. 455.101; Eff. July 1, 2004;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015;
Amended Eff. July 1, 2018.

10A NCAC 22N .0102 SIGNED AGREEMENTS

Each provider shall sign a Provider Administrative Participation Agreement with the Department and shall not be reimbursed for services rendered prior to the effective date of the participation agreement.

History Note: Authority G.S. 108A-54; 143B-139.1; 42 C.F.R. Part 455, Subpart E; Eff. July 1, 2004;
Readopted Eff. July 1, 2018.

SECTION .0200 - ENTITIES LICENSED UNDER NCGS 122C OR NCGS 131D

10A NCAC 22N .0201 DEFINITIONS

History Note: Authority G.S. 108A-54; 143B-139.1; Eff. July 1, 2004;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015;
Repealed Eff. July 1, 2018.

10A NCAC 22N .0202 DISCLOSURE OF OWNERSHIP

Providers who undergo a change in ownership as defined in G.S. 108C-10 shall comply with the following disclosure conditions:

- (1) when applying to participate in the North Carolina Medicaid program, the provider shall supply the legal name and social security number of each individual who is an owner;
- (2) an enrolled provider shall notify the Division in writing of a change in the legal name of any owner. The notification shall be received within 30 calendar days of the effective date of any change;
- (3) an enrolled provider shall notify the Division in writing if a new owner joins the provider. The notification shall include the new owner's legal name and social security number. The notification shall be received within 30 calendar days of the effective date of any change; and
- (4) an enrolled provider shall notify the Division in writing if an owner withdraws his ownership interest in the provider. The notification shall include the name of the departing owner and shall be received within 30 calendar days of the effective date of any change.

History Note: Authority G.S. 108A-54; 108C-10; 143B-139.1; 42 C.F.R. 455.104; 42 C.F.R. 455.106; Eff. July 1, 2004;
Readopted Eff. July 1, 2018.

10A NCAC 22N .0203 ENROLLMENT RESTRICTIONS

- (a) The Department shall deny enrollment, including enrollment for new or additional services in accordance with G.S. 122C-23(e1) and G.S. 131D-10.3(h).
(b) The Department may deny enrollment when an applicant meets any of the following conditions:

- (1) if the Department has initiated revocation or summary suspension proceedings against any facility licensed pursuant to G.S. 122C, Article 2, G.S. 131D, Articles 1 or 1A, or G.S. 110, Article 7 that was previously held by the applicant and the applicant voluntarily relinquished the license;
 - (2) there is a pending appeal of a denial, revocation, or summary suspension of any facility licensed pursuant to G.S. 122C, Article 2, G.S. 131D, Articles 1 or 1A, or G.S. 110, Article 7 that is owned by the applicant;
 - (3) the applicant had an individual as part of their governing body or management who previously held a license that was revoked or summarily suspended under G.S. 122C, Article 2, G.S. 131D, Articles 1 or 1A, and G.S. 110, Article 7 and the rules adopted under these laws; or
 - (4) the applicant is an individual who has a finding or pending investigation by the Health Care Personnel Registry in accordance with G.S. 131E -256.
- (c) When an application for enrollment of a new service is denied:
- (1) pursuant to G.S. 150B-22, the applicant shall be given an opportunity to provide reasons why the enrollment should be granted or the matter otherwise settled;
 - (2) the Division shall give the applicant written notice of the denial, the reasons for the denial and advise the applicant of the right to request a contested case hearing pursuant to G.S. 150B; and
 - (3) the provider shall not provide the new service until a decision is made to enroll the provider, despite an appeal action.
- (d) If the denial is reversed on appeal, the provider may re-apply for enrollment in accordance with 42 C.F.R. 455, Subpart E, which is adopted and incorporated by reference with subsequent changes or amendments and available free of charge at <https://www.ecfr.gov/>.

History Note: Authority G.S. 108A-54; 122C-23(e1),(e3); 131E-256; 143B-139.1; 42 C.F.R. 455.422; 42 C.F.R. 1002.213;
 Eff. July 1, 2004;
 Readopted Eff. July 1, 2018.

SECTION .0300 – ENTITIES PROVIDING SPECIFIED HABILITATIVE AND REHABILITATIVE SERVICES

10A NCAC 22N .0301 DEFINITIONS

History Note: Authority G.S. 108A-54; 143B-139.1;
 Eff. July 1, 2004;
 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015;
 Repealed Eff. July 1, 2018.

10A NCAC 22N .0302 DISCLOSURE OF OWNERSHIP

10A NCAC 22N .0303 ENROLLMENT RESTRICTIONS

History Note: Authority G.S. 108A-54; 143B-139.1;
 Eff. July 1, 2004;
 Repealed Eff. July 1, 2018.