

10A NCAC 27E .0106 INTERVENTION ADVISORY COMMITTEES

- (a) An Intervention Advisory Committee shall be established to provide additional safeguards in a facility that utilizes restrictive interventions as planned interventions as specified in Rule .0104(g) of this Section.
- (b) The membership of the Intervention Advisory Committee shall include at least one person who is or has been a consumer of direct services provided by the governing body or who is a close relative of a consumer and:
- (1) for a facility operated by an area program, the Intervention Advisory Committee shall be the Client Rights Committee or a subcommittee of it, which may include other members;
 - (2) for a facility that is not operated by an area program, but for which a voluntary client rights or human rights committee has been appointed by the governing body, the Intervention Advisory Committee shall be that committee or a subcommittee of it, which may include other members; or
 - (3) for a facility that does not meet the conditions of Subparagraph (b)(1) or (2), the committee shall include at least three citizens who are not employees of, or members of the governing body.
- (c) The Intervention Advisory Committee specified in Subparagraphs (b)(2) or (3) shall have a member or a regular independent consultant who is a professional with training and expertise in the use of the type of interventions being utilized, and who is not directly involved in the treatment or habilitation of the client.
- (d) The Intervention Advisory Committee shall:
- (1) have policy that governs its operation and requirements that:
 - (A) access to client information shall be given only when necessary for committee members to perform their duties;
 - (B) committee members shall have access to client records on a need to know basis only upon the written consent of the client or his legally responsible person as specified in G.S. 122C-53(a); and
 - (C) information in the client record shall be treated as confidential information in accordance with G.S. 122C-52 through 122C-56;
 - (2) receive specific training and orientation as to the charge of the committee;
 - (3) be provided with copies of appropriate statutes and rules governing client rights and related issues;
 - (4) be provided, when available, with copies of literature about the use of a proposed intervention and any alternatives;
 - (5) maintain minutes of each meeting; and
 - (6) make an annual written report to the governing body on the activities of the committee.

*History Note: Authority G.S. 122C-51 through 122C-56; 143B-147;
Eff. February 1, 1991;
Amended Eff. January 1, 1992;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.*