

SUBCHAPTER 27H – MISCELLANEOUS RULES

**SECTION .0100 – ADMISSION PROCEDURES FOR MINORS OR INCOMPETENT PERSONS TO
NONRESTRICTIVE TREATMENT FACILITIES**

10A NCAC 27H .0101 SCOPE

(a) Rules .0101 through .0108 of this Section apply to any residential treatment facility operated by an area program or under contract with an area program or any private residential treatment facility licensed under G.S. 122C-23 for the care and treatment of the mentally ill or intoxicated where clients will not be subjected to restrictions on their freedom of movement similar to the restrictions in:

- (1) division-owned and operated psychiatric hospitals;
- (2) other public or private psychiatric hospitals;
- (3) North Carolina Memorial Hospital at Chapel Hill;
- (4) Whitaker School at Butner, North Carolina; or
- (5) other facilities which provide locked time-out or seclusion rooms, use physical restraints, or are licensed by the Division of Health Service Regulation as locked facilities.

(b) Treatment facilities where clients are subjected to restrictions similar to those in facilities specified in (a)(1) through (5) of this Rule shall follow the procedures for a district court hearing and judicial determination according to G.S. 122C-223, 122C-224, 122C-232 and 122C-233.

*History Note: Authority G.S. 122C-223; 122C-224; 122C-232; 122C-233; 143B-147;
Eff. April 1, 1984;
Amended Eff. June 1, 1990; March 1, 1990;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26,
2017.*