

10A NCAC 28A .0208 PROCEDURES

- (a) There shall be a written agreement governing the relationship and responsibilities of the State Facility Director, Human Rights Committee and client advocate. Such agreement may be superseded by any written agreements between the Division and the Governor's Advocacy Council for Persons with Disabilities.
- (b) If the majority of the Human Rights Committee feels that an issue requires action, the Chairperson of the Committee shall submit a written statement regarding the issue to the State Facility Director and indicate a desired response date. The issue shall be brought to the attention of the State Facility Director. If the Committee is not satisfied with the actions of the State Facility Director, the issue shall be brought to the attention of the Division Director and the appropriate deputy director simultaneously. If the Committee is not satisfied with the action of the Division Director or the Deputy Director involved, the issue shall be brought to the attention of the Secretary.
- (c) If the majority of the Committee votes that an issue does not require action, but two or more members feel strongly that some action is necessary, these members may submit a minority report to the State Facility Director, the Division Director and Deputy Director, and the Secretary in the same manner as a majority decision.
- (d) In cases deemed appropriate by the Committee, steps in the communications procedure as outlined in Paragraph (b) of this Rule may be omitted, provided that the person in authority in each omitted step is notified in writing.
- (e) The Committee may also seek help in solving problems from the Governor's Advocacy Council for Persons With Disabilities, Governor's Advocacy Council on Children and Youth, the Commission for Mental Health, Developmental Disabilities and Substance Abuse Services, and the Council on Developmental Disabilities. In these cases, persons in authority at each step of the prescribed communications procedure as outlined in Paragraph (b) of this Rule shall be notified in writing. Minority report procedures, as outlined in Paragraph (c) of this Rule, shall be applicable in this procedure as well.

*History Note: Authority G.S. 122C-64; 131E-67; 143B-147;
Eff. October 1, 1984;
Amended Eff. April 1, 1990; July 1, 1989;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 24, 2017.*