

SUBCHAPTER 28C - DIGNITY AND RESPECT

SECTION .0100 - SAFE ENVIRONMENT

10A NCAC 28C .0101 PROTECTION FROM HARM

- (a) State facility employees and volunteers at a state facility shall protect clients from harm, abuse, neglect and exploitation in accordance with G.S. 122C-66.
- (b) State facility employees shall not subject a client to any sort of punishment, neglect, or indignity or inflict physical or mental abuse upon any client including, but not limited to, striking, burning, cutting, teasing, taunting, jerking, pushing, tripping or baiting a client.
- (c) State facility employees, visitors and clients other than mentally retarded clients in a facility, shall not engage in any offenses relating to another client as specified in G.S. 122C-65.
- (d) State facility employees shall use only that degree of force necessary to repel or secure a violent and aggressive client. The degree of force that is necessary depends upon the individual characteristics of the client (such as age, size and physical and mental health) and the degree of aggressiveness displayed by the client. The State Facility Director may establish policies on the use of force and specific techniques. State facility employees using specific physical intervention techniques shall be trained in their use.
- (e) State facility employees shall not borrow money from a client or a client's family or receive gratuity except a non monetary gift of nominal value from a client. The state facility employee shall not sell or buy goods or services to or from a client except through established state facility policy. The state facility shall provide safeguards for protecting the client from this type of exploitation and abuse.
- (f) State facility employees shall exercise all due precaution to protect each client from physical or mental abuse by other clients.
- (g) The State Facility Director shall establish policies to protect the client from exploitation by other clients by discouraging the loaning or borrowing of money and possessions between clients and by discouraging the selling and buying of goods or services between clients.

History Note: Authority G.S. 122C-65; 122C-66; 122C-67; 131E-67; 143B-147;
Eff. October 1, 1984;
Amended Eff. July 1, 1989;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018.