

10A NCAC 28F .0806 DISCHARGE

A resident of a mental retardation center of the division shall be discharged if one or more of the following occur:

- (1) One or more of the criteria for admission seen in Rule .0802 of this Section is not met;
- (2) The resident completes the habilitation program for which he was admitted and the criteria for admission seen in Rule .0802 of this Section are not otherwise met;
- (3) The resident requests discharge and the resident is not a minor or judicially declared incompetent;
- (4) The resident's parent or guardian requests discharge and the resident is a minor;
- (5) The resident's guardian requests discharge and the resident has been judicially declared incompetent;
- (6) The director of the mental retardation center determines that it is not in the best interest of the resident or the center for the resident to be retained at the center; and
- (7) When the term of a planned contractual agreement with the resident, the resident's parent, the resident's guardian, or the person standing in loco parentis to the resident has expired and agreement has not been reached on a new contract.

History Note: Authority G.S. 122C-112; 122C-181; 143B-147;
Eff. February 1, 1976;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 24, 2019.