

SUBCHAPTER 29D - MISCELLANEOUS

SECTION .0100 – CAROLINA ALTERNATIVES

10A NCAC 29D .0101 CAROLINA ALTERNATIVES

History Note: Authority G.S. 122C-112; 122C-143.1; 122C-143.2; 122C-147; 122C-147.1; 122C-147.2; 42 C.F.R. 431; Social Security Act, Waiver under Sections 1915(b(1)) and (b)(4);
Eff. February 1, 1996;
Amended Eff. April 1, 1999;
Repealed Eff. May 1, 2008.

SECTION .0200 - SINGLE PORTAL OF ENTRY AND EXIT DESIGNATION

- 10A NCAC 29D .0201 SCOPE**
- 10A NCAC 29D .0202 EXPLANATION OF TERMS**
- 10A NCAC 29D .0203 DESIGNATION PROCEDURES**

History Note: Authority G.S. 143B-147;
Eff. July 1, 1994;
Repealed Eff. April 1, 2007.

**SECTION .0300 - DESIGNATION OF AREA MENTAL HEALTH: MENTAL RETARDATION AND
SUBSTANCE ABUSE AUTHORITIES AND CATCHMENT AREAS**

- 10A NCAC 29D .0301 SCOPE**
- 10A NCAC 29D .0302 DEFINITION**
- 10A NCAC 29D .0303 AREA AUTHORITIES AND CATCHMENT**

History Note: Authority G.S. 122C-3; 122C-112; 122C-115; 122C-116; 122C-117; 122C-118; 122C-132; 143B-147;
Eff. October 1, 1983;
Amended Eff. July 1, 1984;
Repealed Eff. May 1, 2009.

10A NCAC 29D .0304 CHANGE OF CATCHMENT AREAS

History Note: Authority G.S. 122C-3; 122C-112; 143B-147;
Eff. July 1, 1984;
Repealed Eff. May 1, 2009.

SECTION .0400 - THERAPEUTIC HOMES FOR CHILDREN AND ADOLESCENTS

- 10A NCAC 29D .0401 SCOPE**
- 10A NCAC 29D .0402 STAFF**
- 10A NCAC 29D .0403 OPERATIONS**

History Note: Authority G.S. 122C-26; 143B-147;
Eff. May 1, 1996;
Repealed Eff. May 1, 2008.

SECTION .0500 – BUTNER ORDINANCES

10A NCAC 29D .0501 CROSS-REFERENCE

The Butner Ordinances, Regulations 10 NCAC 18B .0101 through .0114, .0201 through .0211, .0301 through .0307, .0401 through .0406, .0501 through .0504, .0601 through .0607, .0701 through .0703, .0801 through .0803, .0901 through .0909, .1001 through .1006, .1101 through .1106, .1201 through .1211, .1301 through .1304 have been repealed from Subchapter 18B and adopted into Subchapter 18T for a better organizational structure.

History Note: Authority G.S. 122-95; 143B-10;
Eff. February 1, 1976;
Amended Eff. March 21, 1980;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 24, 2019.

SECTION .0600 – SUBSTANCE ABUSE ASSESSMENTS FOR INDIVIDUALS CHARGED WITH OR CONVICTED OF DRIVING WHILE IMPAIRED (DWI)

10A NCAC 29D .0601	PURPOSE AND SCOPE
10A NCAC 29D .0602	DEFINITIONS
10A NCAC 29D .0603	WRITTEN NOTICE OF INTENT
10A NCAC 29D .0604	DWI SUBSTANCE ABUSE ASSESSMENT ELEMENTS
10A NCAC 29D .0605	QUALIFICATIONS OF INDIVIDUALS PERFORMING ASSESSMENTS
10A NCAC 29D .0606	RESPONSIBILITIES OF ASSESSING AGENCY
10A NCAC 29D .0607	RESPONSIBILITIES OF TREATMENT OR ADETS PROVIDERS
10A NCAC 29D .0608	REPORTING REQUIREMENTS
10A NCAC 29D .0609	PRE-TRIAL ASSESSMENTS
10A NCAC 29D .0610	PLACEMENT CRITERIA FOR ASSESSED DWI CLIENTS
10A NCAC 29D .0611	DOCUMENTATION REQUIREMENTS

History Note: Authority G.S. 20-138.1; 20-179; 20-179(e)(6) and (m); 122C-3; 122C-22; 122C-26;
Eff. February 1, 1989;
Amended Eff. March 1, 1995; September 1, 1994; May 1, 1990; March 1, 1990;
Repealed Eff. May 1, 2008.

10A NCAC 29D .0612 AUTHORIZATION TO PROVIDE DWI SUBSTANCE ABUSE ASSESSMENTS
Any facility that provides DWI assessments shall comply with 10 NCAC 14K .0365 DWI SUBSTANCE ABUSE ASSESSMENTS, contained in Division publication, Licensure Rules, as defined in Rule .0602 of this Section.

History Note: Authority G.S. 20-179(e)(6) and (m);
Eff. September 1, 1994;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 24, 2019.

SECTION .0700 – PROCEDURES FOR AMENDING RULES

10A NCAC 29D .0701 CROSS-REFERENCE TO COMMISSION RULE-MAKING PROCEDURES

(a) The procedures governing rulemaking hearings of the Commission for Mental Health, Developmental Disabilities and Substance Abuse Services formerly contained in Rules .0101 through .0108 of this Subchapter have been incorporated into the rules on Rulemaking Procedures for the Commission which govern rulemaking procedures for the Commission for Mental Health, Developmental Disabilities and Substance Abuse Services and which are codified in 10A NCAC 26A .0100 (division publication APSR 10-7).

(b) The procedures for declaratory rulings formerly delineated in Rule .0109 of this Subchapter are now specified in 10A NCAC 26A .0400 (division publication APSR 10-3, 9/15/80).

History Note: Authority G.S. 143B-147; 150B-12; 150B-17;
Eff. June 30, 1978;
Amended Eff. May 1, 1990; April 1, 1984; May 15, 1979;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 24, 2019.

SECTION .0800 – COMMUNITY RELATIONS

10A NCAC 29D .0801 NOTIFICATION PROCEDURES FOR PROVISION OF SERVICES

(a) If an area program plans to operate or contract for a service located within the catchment area of another area program, the Director of the area program that plans to operate or contract for the service shall notify the Director of the area program in which the service is to be located prior to the provision of the service.

(b) The notification shall be in writing and shall include the following:

- (1) name of the provider;
- (2) service to be provided; and
- (3) anticipated dates of service.

In the event of an emergency, notification prior to the provision of service may be by telephone with written notification occurring the next working day.

(c) Should a dispute resolution concerning such service as described in Paragraph (a) of this Rule be necessary, the Division Director shall arbitrate an agreement between the respective area programs.

(d) If the Division plans to operate or contract for a service in an area program, the Division Director shall notify the Director of the area program in which the service is to be located, prior to the provision of the service, according to the procedures set forth in Paragraph (b) of this Rule.

*History Note: Authority G.S. 122C-113; 122C-141(b); 122C-142(a); 122C-191(d);
Eff. April 1, 1993;*

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 24, 2019.