

#### **10A NCAC 71M .0104 LIMITATIONS**

- (a) The enrollment plan of a client in a non-institutional community living services program shall be based on the individual needs and capabilities of the client for participation in the variety of activities contained in the service definition. The enrollment plan and the basis for the plan shall be documented in the individual client record maintained by the community living services program. In order to accommodate the range of individual enrollment needs, non-institutional community living services programs shall be required to operate a minimum of six hours per day, five days per week.
- (b) Client work participation and other habilitative activities shall be based on individual needs as determined by comprehensive evaluation to establish individual objectives in all service elements. Provided they are habilitative, work activities can range from none to a full day. All work and other habilitative activities shall be based on a comprehensive and individual evaluation that establishes individual objectives in all elements included in the service and shall be relevant to client needs identified in the evaluation. Program generated income can be used for wages. Reimbursement for service provision under Social Services Block Grant (Title XX) of the Social Security Act is discontinued when earnings from work activities exceed one-half the federal minimum wage for two consecutive months.
- (c) Medical expenses cannot be budgeted for in this service.
- (d) Transportation can be included as a program cost only when it is necessary to provide services, i.e. make it possible for clients to participate in program related activities. All costs of transporting clients to and from the services program are considered as transportation costs rather than program costs.
- (e) Under no circumstances may a fee be assessed for an intrinsic element of the primary service. Fees for optional elements and for transportation may be assessed if no portion of these costs are included in the purchased rate.
- (f) No optional elements nor the optional component of this service can be contracted for separately under Social Services Block Grant (Title XX) outside the purchase rate established for the individual facility.
- (g) Staff members of community living services programs may act as liaison between the programs and other community resources but shall not provide direct services not included in the service definition.
- (h) Reimbursement for client participation cannot be made for enrollment in more than one community living services program at the same time.
- (i) When a client has benefited from community living services to a degree of adequate functioning in social situations (e.g., is employable in a structured situation), he shall be discharged from the program and transferred to one more appropriate.

*History Note: Authority G.S. 143B-153;  
Eff. July 23, 1979;  
Amended Eff. January 1, 1980;  
Transferred from T10.43I .0205 Eff. July 1, 1983;  
Amended Eff. June 1, 1990;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.*