

## SUBCHAPTER 71R – SOCIAL SERVICES BLOCK GRANT

### SECTION .0100 - SERVICES TO BE PROVIDED

#### 10A NCAC 71R .0101 SOCIAL SERVICES BLOCK GRANT FUNDED SERVICES

The following services may be reimbursed with Social Services Block Grant Funds:

- (1) adjustment services for the blind or visually impaired;
- (2) adoption services;
- (3) adult placement services;
- (4) child care services;
- (5) children and adults needing mental health, developmental disability or substance abuse services;
- (6) community living services;
- (7) day care services for adults;
- (8) delinquency prevention services;
- (9) employment and training support services;
- (10) family planning services;
- (11) family preservation services;
- (12) family support services;
- (13) foster care services for adults;
- (14) foster care services for children;
- (15) health support services;
- (16) home health services (includes skilled nursing, physical therapy, speech therapy, occupational therapy, medical social services and nutrition care);
- (17) housing and home improvement services;
- (18) individual and family adjustment services;
- (19) in-home aide services;
- (20) in-home aide services for the blind;
- (21) intensive family preservation services;
- (22) personal and family counseling;
- (23) preparation and delivery of meals;
- (24) problem pregnancy services;
- (25) protective services for adults;
- (26) protective services for children;
- (27) residential treatment for the emotionally disturbed;
- (28) respite care services;
- (29) transportation services; and
- (30) youth services.

*History Note: Authority G.S. 108A-71; 143B-153;  
Eff. July 1, 1983;  
Amended Eff. November 1, 2007; November 1, 1994; December 1, 1991; September 1, 1988; July 1, 1984;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.*

#### 10A NCAC 71R .0102 STANDARDS

All services funded by the Social Services Block Grant shall meet applicable standards set by the appropriate federal agency, a national voluntary nonprofit agency, or a state agency having legal responsibility for developing standards in a specific area.

*History Note: Authority G.S. 143B-153;  
Eff. September 1, 1994;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.*

#### 10A NCAC 71R .0103 MANDATED AND OPTIONAL SERVICES

(a) The following services funded with Social Services Block Grant funds shall be made available in each county. These services are:

- (1) adjustment services for the blind and visually impaired;
- (2) adoption services;
- (3) child care services;
- (4) in-home aide services for the blind;
- (5) family planning services;
- (6) adult placement services;
- (7) foster care services for adults;
- (8) foster care services for children;
- (9) health support services (sterilization component is optional);
- (10) individual and family adjustment services;
- (11) in-home aide services;
- (12) protective services for adults;
- (13) protective services for children.

(b) With the exception of those mandated services specified in Paragraph (a) of this Rule, all other services are optional for purposes of the Social Services Block Grant.

*History Note: Authority G.S. 143B-153;  
Eff. September 1, 1994;  
Amended Eff. November 1, 2007;  
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#### **10A NCAC 71R .0104 PURCHASE OF SERVICES**

Services funded by the Social Services Block Grant shall be provided directly by the Department of Health and Human Services, its divisions or their local counterparts; or services shall be purchased from public or private providers by contracting in accordance with federal, state, and local regulations governing such purchases. Limitations on purchase of services shall be as follows:

- (1) Adult placement services and foster care services for adults shall not be purchased but provided only by the county departments of social services.
- (2) Adoption and foster care services for children shall be purchased only from agencies licensed to place and supervise children in accordance with standards established under G.S. 143B-153(2)c.
- (3) Those functions of protective services for adults and children which are the legally mandated responsibility of local departments of social services shall not be purchased.
- (4) The following purchases can be made only through direct payments by county departments of social services:
  - (a) the provision of basic appliances as an element of housing and home improvement services,
  - (b) the payment of fees for membership in community sponsored recreational organizations as an element of individual and family adjustment services,
  - (c) assistance in meeting the usual expenses of attending technical institutes and community colleges as an element of employment and training support services.
- (5) In-Home Aide Services for the Blind and Adjustment Services for the Blind and Visually Impaired shall be purchased by the Division of Services for the Blind.

*History Note: Authority G.S. 143B-153;  
Eff. September 1, 1994;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.*

#### **10A NCAC 71R .0105 SERVICES POLICIES**

Respective divisions or agencies within the Department of Health and Human Services shall be responsible for the administration of regulations and policies which affect client eligibility or control provision of services. Information about services policies may be obtained by direct inquiry to the Division or Office of the Department of Health and Human Services which has responsibility for the particular service.

*History Note: Authority G.S. 143B-153;  
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## **SECTION .0200 - ADMINISTRATIVE REQUIREMENTS**

### **10A NCAC 71R .0201 FISCAL MANAGEMENT**

The fiscal requirements for the Social Services Block Grant (SSBG) are as follows:

- (1) Allocation of Funds. Any allocation of SSBG Funds made directly to Department of Health and Human Services divisions or public or private agencies by the Department of Health and Human Services is based on the following criteria:
  - (a) identified need for the service program as specified in Rule .0101 of this Subchapter;
  - (b) established priorities of the department as specified in Rules .0101 and .0103 of this Subchapter;
  - (c) availability of the program under federal and state rules and regulations as specified in Rule .0102 of this Subchapter and as established by the General Assembly;
  - (d) assessed or potential performance of the service program as specified in Rule .0102 of this Subchapter;
  - (e) resource utilization as specified in this Rule and as established by the General Assembly; and
  - (f) availability of funds necessary to secure federal financial participation as specified in this Rule and as established in federal regulations and by the General Assembly.
- (2) The amount of SSBG funds allocated by the Department of Health and Human Services through the Division of Social Services to each county department of social services is based on the average of the following two factors applied to the total amount of SSBG funds available for county departments of social services:
  - (a) the percentage of the statewide population residing within each county; and
  - (b) the percentage of the statewide unduplicated count of SSI recipients, food stamp recipients, TANF recipients and medicaid eligible individuals residing in each county.Once allocations to county departments of social services are calculated as described in this Item, they remain at that level each subsequent year.
- (3) Matching Rates for Financial Participation. The following matching rates apply to financial participation in services funded by the SSBG:
  - (a) 75 percent financial participation - financial participation for provision of any service listed in this Subchapter unless otherwise provided in this Item is available at a rate of 75 percent of the cost of providing the service;
  - (b) 87-1/2 percent financial participation - financial participation for provision of in-home services - day care services for adults, preparation and delivery of meals, housing and home improvement services, and in-home aide services (levels I through IV) -- is available at a rate of 87-1/2 percent of the cost of providing the service;
  - (c) 90 percent financial participation - financial participation for provision of family planning services and the family planning component of health support services is available at a rate of 90 percent of the cost of providing the service;
  - (d) 100 percent financial participation - financial participation for provision of child care services is available at a rate of 100 percent of the cost of services for those child care services reimbursed from an agency's designated 100 percent day care allocation.
- (4) Transferred Funds. If funds from the Temporary Assistance for Needy Families (TANF) Block Grant are transferred to the SSBG for services previously funded by SSBG, the matching rates outlined in Item (3) of this Rule shall apply. If funds from TANF are transferred to SSBG for services not previously funded by SSBG, the matching rates as outlined in Item (3) of this Rule shall not apply.

*History Note: Authority G.S. 143B-153;  
Eff. July 1, 1983;*

*Amended Eff. December 1, 1991; July 1, 1990; December 1, 1983;  
Temporary Amendment Eff. November 10, 1999;  
Amended Eff. November 1, 2007; September 1, 2007; July 17, 2000.  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20,  
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## **SECTION .0300 – GENERAL CONDITIONS FOR PROVISION OF SERVICES**

### **10A NCAC 71R .0301 APPLICABILITY**

The rules of Subchapter 71R shall apply to the Division of Social Services, county departments of social services, and to any agency from which the division or a county department of social services purchases eligibility determination and case management functions on a contractual basis.

*History Note: Authority G.S. 143B-153;  
Eff. July 1, 1983;  
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### **10A NCAC 71R .0302 FAMILY SERVICES MANUAL AND POLICY DIRECTIVES**

*History Note: Authority G.S. 143B-153; 1985 S.L., c. 479, s. 93;  
Eff. July 1, 1983;  
Amended Eff. May 1, 1990; July 1, 1984;  
Repealed Eff. November 1, 2007.*

### **10A NCAC 71R .0303 RECIPIENT SERVICE RECORDS**

- (a) An agency must open and maintain a service record for each individual for whom an application for social services is made and for each recipient of protective services. Recipient service records must be documented and maintained in accordance with procedures set forth in this Subchapter.
- (b) Recipient service records shall be treated in accordance with policies governing confidentiality and access to client records as set forth in 10A NCAC 69.
- (c) The service record must be updated and documented as necessary to reflect changes in a recipient's circumstances and to keep all information in the record current.
- (d) All changes must be documented in the service record. These changes include addition of a service to a recipient's service plan, termination of service, redetermination of eligibility, changes in the recipient's circumstances that affect his/her need for or use of services, and any other action taken by the agency that affects the recipient's receipt of a service and termination of the recipient's service.

*History Note: Authority G.S. 143B-153;  
Eff. July 1, 1983;  
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## **SECTION .0400 - APPLICATION FOR SOCIAL SERVICES**

### **10A NCAC 71R .0401 APPLICATION REQUIREMENT**

All applicants for social services must initiate entry into the social services system via a written application except that no application shall be required for the following:

- (1) evaluation of the need for protective services for adults;
- (2) guardianship services for adults;
- (3) protective services for children;
- (4) foster care services for children;
- (5) employment program services.

*History Note: Authority G.S. 143B-153;*

*Eff. July 1, 1983;*  
*Amended Eff. November 1, 2007; November 2, 1992; May 1, 1990; February 1, 1986;*  
*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20,*  
*2017.*

#### **10A NCAC 71R .0402 OPPORTUNITY TO APPLY**

An individual may apply for social services and have his/her application acted upon no more than 30 calendar days from the application date.

*History Note: Authority G.S. 143B-153;*  
*Eff. July 1, 1983;*  
*Amended Eff. November 1, 2007;*  
*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20,*  
*2017.*

#### **10A NCAC 71R .0403 WHO MAY APPLY**

Application for social services may be made by:

- (1) an adult or emancipated minor on his/her own behalf or on behalf of others in his/her family;
- (2) a parent, custodian or guardian acting on behalf of a minor;
- (3) someone for the applicant if the applicant is believed to be incompetent or incapacitated; or
- (4) agency staff on behalf of an individual in the event of an emergency, or when there is some urgency to provide services, or if arranging for the individual to make application would create a barrier to the receipt of services.

*History Note: Authority G.S. 143B-153;*  
*Eff. July 1, 1983;*  
*Amended Eff. November 1, 2007; May 1, 1990;*  
*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20,*  
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#### **10A NCAC 71R .0404 RESIDENCY**

In order to apply for social services, individuals must be residents of North Carolina. The definition of residency is found in G.S. 108A-24(6).

*History Note: Authority G.S. 143B-153;*  
*Eff. July 1, 1983;*  
*Amended Eff. November 1, 2007; May 1, 1990;*  
*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20,*  
*2017.*

#### **10A NCAC 71R .0405 APPLICATION DOCUMENTATION REQUIREMENTS**

- (a) The application for services shall be made through a form provided by the Department of Health and Human Services or an equivalent form.
- (b) When the request is made through a mailed or electronically transmitted request for service(s), the agency shall transfer the information to the application form and maintain the written request in the service record.
- (c) The application form shall include:
  - (1) identification of the individual for whom the service(s) is (are) requested;
  - (2) identification of the specific service(s) requested for both initial requests and additional requests;
  - (3) date of the request;
  - (4) signature of the applicant or his/her representative, the date of the signature and for situations where the person making the application executes his/her signature by making a mark (X), the signature of a witness;
  - (5) signature of the social worker determining eligibility and date that determination was made; and
  - (6) documentation that the application is voluntary and that the individual has been informed of the following rights and responsibilities associated with applications for social services:

- (A) The right to request and obtain a fair hearing if his/her application is not acted on as required by the rules of this Subchapter or if (s)he disagrees with the agency' action in response to his/her application for services;
- (B) the right to confidentiality and that the information given to the agency will be confidential and not released without written consent except for information necessary to establish eligibility, information that may be revealed in the course of agency audits and monitoring and as otherwise required by law; and
- (C) his/her responsibilities to provide accurate and complete information necessary to determine eligibility and, if requested, to provide documentation of such information; to notify the agency within five days of any change in address, employment, income, living arrangement or family size; and that failure to provide accurate and complete information may subject him/her to prosecution.

(d) The date of the application is when the applicant signs the application, the date of request for guardianship for adults or the date of the report for Adult Protective Services or Children's Protective Services.

(e) When a signature of the applicant or his/her representative is not obtained because obtaining the signature would create a barrier to the receipt of the service, the social worker shall document the request indicating the service(s) requested, the date of the request and the circumstances that prevented the worker from obtaining the signature.

(f) In the case of applications for Health Support Services-Family Planning Component, the signature of the applicant must not be waived.

*History Note: Authority G.S. 143B-153;  
Eff. November 1, 2007;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.*

## **SECTION .0500 - CONDITIONS OF ELIGIBILITY**

### **10A NCAC 71R .0501 BASIC ELIGIBILITY CRITERIA**

In addition to the requirements of Section .0600 of this Subchapter, in order for an individual to be determined eligible to receive services funded under the Social Services Block Grant (Title XX), it must be established that (s)he is eligible on the basis of need as specified in the target population for the services requested as set forth in this Chapter except that for purposes of providing child care services, transportation services, or the federally funded sterilization resource item of health support services, eligibility must also be determined on the basis of his/her income maintenance or income eligible status.

*History Note: Authority G.S. 143B-153;  
Eff. July 1, 1983;  
Amended Eff. May 1, 1990; July 1, 1989;  
Temporary Amendment Eff. October 21, 1996;  
Amended Eff. November 1, 2007; July 1, 1998;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.*

### **10A NCAC 71R .0502 INCOME MAINTENANCE STATUS**

(a) For an individual to be eligible on the basis of income maintenance status, it must be established that the individual is either:

- (1) a current recipient of Work First Family Assistance, Benefit Diversion; or Work First Services for Low Income Families (below 200% of the Federal poverty level) as defined in G.S. 108A-24; or a person whose needs were taken into account in determining the needs of Work First recipients;
- (2) a current recipient of Supplemental Security Income (SSI);
- (3) an individual who receives Optional State Supplementation payments from the State, known as State/County Special Assistance for Adults in North Carolina; or
- (4) a child with respect to whom foster care maintenance payments or adoption assistance payments are made under Public Law 96-272.

(b) An individual whose eligibility is based on income maintenance status is eligible for any service funded under the Social Services Block Grant (Title XX) that is available in the county in which (s)he lives.

*History Note: Authority G.S. 143B-153;  
Eff. July 1, 1983;  
Amended Eff. November 1, 2007; May 1, 1990;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.*

### **10A NCAC 71R .0503 INCOME ELIGIBLE STATUS**

- (a) Individuals other than those eligible on the basis of income maintenance status may be determined eligible on the basis of that individual's income unit's monthly gross income.
- (b) To determine income eligibility, it is necessary to determine the number of individuals who reside in the same household who are financially obligated to one another (the income unit) and the amount of the gross monthly income available to them.
- (c) The following are defined as separate income units for purposes of determining eligibility and fees.
- (1) Biological or adoptive parents and their minor children;
  - (2) A minor parent and his or her children;
  - (3) Each adult, whether related or unrelated, other than spouses;
  - (4) Children living with adults other than their biological or adoptive parents;
  - (5) Minors who are emancipated through a court proceeding, marriage or participation in the armed services.
- (d) Sources of income which shall be considered for purposes of computing family monthly gross income are:
- (1) Gross earned wages or salary (earnings received for work performed as an employee, including wages, salary, commissions, tips, piece-rate payments, and cash bonuses earned, before any deductions are made for taxes, bonds, pensions, union dues);
  - (2) Adjusted gross income from taxable self-employment income;
  - (3) Social Security benefits (includes Social Security pensions, survivors' benefits and permanent disability insurance payments);
  - (4) Dividends; interest (on savings or bonds); income from estates or trusts; royalties; adjusted gross rental income on houses, stores or other property;
  - (5) Pensions and annuities paid directly by an employer or union or through an insurance company;
  - (6) Workers' compensation for injuries incurred at work;
  - (7) Unemployment insurance benefits;
  - (8) Alimony (includes direct and indirect payments, such as rent and utility payments);
  - (9) Child support, direct or indirect;
  - (10) Pensions paid to veterans or survivors of deceased veterans;
  - (11) On-the-Job Training (OJT) payments;
  - (12) Job Training Partnership Act (JTPA) payments made to an adult;
  - (13) AmeriCorps stipend (living allowance);
  - (14) Armed Forces pay (only the amounts taxable, such as base pay);
  - (15) Work release payments;
  - (16) Cherokee Tribal Per Capita Income paid to adult family members;
  - (17) Work-study payments, if the income is from a program not administered under Title IV of the Higher Education Act or the Bureau of Indian Affairs; and
  - (18) Recurring cash contributions paid directly to the parent.
- (e) Sources of income that shall not be counted when computing family gross monthly are:
- (1) Work First Family Assistance;
  - (2) Supplemental Security Income (SSI);
  - (3) Lump sum payments (e.g. Social Security benefits, workers' compensation, alimony, veteran's benefits, HUD);
  - (4) Foster care assistance payments;
  - (5) Adoption Assistance payments;
  - (6) Payments/trust funds under the Indian Claims Commission;
  - (7) Payments from the Alaska Native Claims Settlement Act;
  - (8) Income from sale of personal assets (stocks, bonds, house, car, and insurance);
  - (9) Bank withdrawals;
  - (10) Money borrowed;

- (11) Tax refunds;
- (12) Gifts or contributions;
- (13) In-kind contributions from non-legally responsible adults;
- (14) Emergency Assistance, Low Income Energy Assistance Program, Crisis Intervention Program, General Assistance, or Progress Energy Share Program payments;
- (15) Section VIII housing subsidy;
- (16) Capital gains;
- (17) Value of food stamp benefits allotted under the Food Stamp Act of 1977;
- (18) Free and reduced lunch program;
- (19) Food subsidy programs;
- (20) Relocation/Acquisition Act payments;
- (21) Earnings of a dependent child under 18 years of age, unless a minor parent of a child needing child care;
- (22) Loans, grants, scholarships, money received through job training, Pell or Carl Perkins grants;
- (23) Home produce utilized for household consumption;
- (24) Volunteers in Service to America (VISTA) earnings;
- (25) Payments received as Earned Income Tax Credits or Dependent Care Credits;
- (26) All subsidized housing and housing allotments, including military housing allotments. If rent is provided directly to the landlord, it shall not be counted. If, however, the rent monies are paid to the individual, it shall be counted as income;
- (27) Money received from an employer as an employee benefit for child care; and
- (28) Work-study payments, if the income is from the College Work-Study Program administered under Title IV of the Higher Education Act or the Bureau of Indian Affairs. (Likewise, if the income from college work-study goes directly to the college, it is not counted as income.)

*History Note:* Authority G.S. 50-13.4; 110.129(2); 143B-153;  
 Eff. July 1, 1983;  
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#### **10A NCAC 71R .0504 DEFINITION OF ESTABLISHED INCOME**

*History Note:* Authority G.S. 143B-153;  
 Eff. July 1, 1983;  
 Amended Eff. March 1, 1994; July 1, 1991; May 1, 1990.  
 Repealed Eff. November 1, 2007.

#### **10A NCAC 71R .0505 MAXIMUM INCOME LEVELS FOR SERVICES**

- (a) Sixty Percent of the Federal Poverty Guidelines. An individual whose income unit's gross monthly income is less than 60 percent of the Federal Poverty Guidelines as published annually in the Federal Register by the U.S. Department of Health and Human Services (HHS) is eligible for transportation services or the federally funded sterilization resource item of health support services funded under the Social Services Block Grant (Title XX) if available in the county in which (s)he lives.
- (b) Eighty Percent of the Federal Poverty Guidelines. An individual whose income unit's gross monthly income is less than 80 percent of the Federal Poverty Guidelines is eligible for the federally funded sterilization resource item of health support services if available in the county in which (s)he lives and if conditions for payment as set out in 10A NCAC 71J .0105 have been satisfied.

*History Note:* Authority G.S. 143B-153(2a)b.;  
 Eff. July 1, 1983;  
 Amended Eff. March 1, 1994; July 1, 1989; October 1, 1987; July 1, 1984;  
 Temporary Amendment Eff. October 21, 1996;  
 Amended Eff. November 1, 2007; July 1, 1998;  
 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.



### **10A NCAC 71R .0506 WITHOUT REGARD TO INCOME STATUS**

Individuals are eligible for the following services on the basis of need for the service and without regard to their income:

- (1) adjustment services for the blind and visually impaired;
- (2) adoption services;
- (3) adult placement services;
- (4) foster care services for children;
- (5) protective services for adults;
- (6) protective services for children;
- (7) child care services, when needed to support child protective services, child welfare services and for children receiving foster care services;
- (8) delinquency prevention services;
- (9) employment and training support services;
- (10) health support services (excluding the optional voluntary sterilization component);
- (11) individual and family adjustment services;
- (12) problem pregnancy services;
- (13) community living services;
- (14) day care services for adults;
- (15) housing and home improvement services;
- (16) in-home aide services;
- (17) personal and family counseling;
- (18) preparation and delivery of meals;
- (19) residential treatment for the emotionally disturbed;
- (20) respite care services;
- (21) transportation services provided by the North Carolina Commission of Indian Affairs;
- (22) youth services;
- (23) family planning services;
- (24) children and adults needing mental health, developmental disability or substance abuse services;
- (25) family preservation services;
- (26) family support services;
- (27) foster care services for adults;
- (28) home health services (includes skilled nursing, physical therapy, speech therapy, occupational therapy, medical social services, and nutrition care; and
- (29) intensive family preservation services.

*History Note: Authority G.S. 143B-153(2a)b;  
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### **SECTION .0600 - ELIGIBILITY DETERMINATION**

#### **10A NCAC 71R .0601 ELIGIBILITY DETERMINATION**

(a) For purposes of the rules in this Subchapter, an eligibility determination means a decision pursuant to an application for social services which is based on information necessary to determine whether an individual meets the conditions of eligibility for the services requested. Conditions of eligibility include basic eligibility criteria from Section .0500 of this Subchapter applicable to the program or funding source under which the service is made available and conditions of need specified in the target population for the service requested, as set forth in this Chapter.

(b) The individual making application shall provide information which will enable the agency to reach an eligibility decision. Failure on the part of the individual making application to provide such information or to cooperate with

the agency in determining eligibility are grounds for delay in processing an application and reaching an eligibility decision or for denial of services.

*History Note: Authority G.S. 143B-153;  
Eff. July 1, 1983;  
Amended Eff. November 1, 2007; May 1, 1990; July 1, 1989; February 1, 1986;  
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#### **10A NCAC 71R .0602 BASIS FOR ESTABLISHING ELIGIBILITY**

Eligibility for services is established on the basis of:

- (1) a signed, dated application, if required;
- (2) the agency's determination that the individual meets the conditions of eligibility;
- (3) availability of the service in the county in which the individual has legal residence; and
- (4) availability of the service to the individual's category of eligibility.

*History Note: Authority G.S. 143B-153;  
Eff. July 1, 1983;  
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Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.*

#### **10A NCAC 71R .0603 BASIS FOR DENIAL OR TERMINATION OF SERVICES**

(a) Reasons for denial of an application for services and reasons for the termination of services include the following:

- (1) The individual has failed to cooperate with the agency in determining (or redetermining) eligibility;
- (2) The individual cannot be located to allow for determination (or redetermination) of eligibility;
- (3) The individual has been determined to be not eligible for the services requested on the basis that (s)he does not meet (or because of changing circumstances, no longer meets) the conditions of eligibility for the program funding sources under which the service is provided or the definition of the target population for receipt of the service;
- (4) The service is not available in the county in which the individual has legal residence;
- (5) The service will not be available in sufficient time to ensure its prompt provision, as set forth in Rules .0802 and .0803 of this Subchapter;
- (6) The agency has exhausted its funds for the provision of the service for that program year;
- (7) The individual has notified the agency that (s)he no longer wants or needs the service;
- (8) The agency has determined that the individual is no longer able to avail himself/herself of the service because (s)he has moved to another county or has been admitted to an institution;
- (9) The individual has failed to utilize the service or to cooperate in service delivery;
- (10) The individual is residing in a facility or institution and the funding source prohibits provision of the service to clients in facilities or institutions; and
- (11) The individual fails to meet any other conditions set forth in rules in Chapters 70 and 71 of this Title governing delivery of the service.

(b) The agency must document the basis for denial or termination of services on the notice to the client, except in cases where notice is not required as set forth in 10A NCAC 67A .0202.

*History Note: Authority G.S. 143B-153;  
Eff. July 1, 1983;  
Amended Eff. November 1, 2007; March 1, 1994; May 1, 1990; November 1, 1984;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.*

#### **10A NCAC 71R .0604 REDETERMINATION OF ELIGIBILITY**

(a) The agency shall make a redetermination of eligibility and need for the following services every 12 months:

- (1) child care services;

- (2) transportation; and
  - (3) health support – abortion and sterilization components which are federally funded.
- (b) Eligibility for services provided without regard to income is based on need, and services shall continue until determined no longer appropriate.
- (c) The agency shall make a redetermination of eligibility and need when there is new information provided to the agency about changes in the client's circumstances that affect his/her eligibility.
- (d) The agency shall make a redetermination of eligibility and need every 12 months for services available with regard to income.
- (e) Requirements and procedures for a redetermination are the same as those for eligibility determination for services provided with regard to income.

*History Note:* Authority G.S. 143B-153;  
Eff. July 1, 1983;  
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Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.

#### **10A NCAC 71R .0605 DOCUMENTATION OF ELIGIBILITY DECISION**

- (a) The agency shall document information pertinent to meeting conditions of eligibility in the individual's service record.
- (b) The agency shall document the eligibility decision, the date of the decision and the service worker/case manager making the decision on the application form.
- (c) The agency shall document the beginning and ending date for all services provided with regard to income.
- (d) For all services provided without regard to income, except for child care services, the agency shall document the beginning date, which is the eligibility date.

*History Note:* Authority G.S. 143B-153;  
Eff. November 1, 2007.  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.

#### **10A NCAC 71R .0606 QUARTERLY REVIEW**

- (a) The agency shall review and document the client's situation and service plan at least quarterly from the date of application except for clients whose only service(s) is (are):
- (1) transportation;
  - (2) child care;
  - (3) foster care;
  - (4) adoptions; and
  - (5) housing and home improvement.
- (b) The agency shall conduct the review in the month it is due. The month the quarterly review is due is determined by the month in which the application was made.
- (c) The agency must label and date the quarterly review in the record.

*History Note:* Authority G.S. 143B-153;  
Eff. November 1, 2007;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.

### **SECTION .0700 - ELIGIBILITY DETERMINATION**

#### **10A NCAC 71R .0701 METHODS OF ELIGIBILITY DETERMINATION**

When the services being provided have income as a condition of eligibility, each county board of social services shall decide whether to use the verification method of eligibility as described in Rule .0702 of this Section, or the declaration method of determining eligibility as described in Rule .0703 of this Section.

*History Note:* Authority G.S. 143B-153;

*Eff. July 1, 1983;*  
*Amended Eff. November 1, 2007; May 1, 1990;*  
*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.*

#### **10A NCAC 71R .0702 VERIFICATION METHOD**

(a) Under the verification method of eligibility determination, an agency shall verify an individual's statement as to eligibility status by obtaining evidence which supports the individual's statement. Evidence which supports the individual's statement includes a copy of a source document or the agency worker's written statement concerning the contents of a source document, the contents of a telephone conversation confirming the required information or the identification of any existing agency record confirming the required information.

(b) When an individual's eligibility for services is based on his/her status as an income maintenance recipient, an agency shall verify such status.

(c) When an individual's eligibility for services is based on family monthly gross income, an agency shall verify the individual's statement as to the source and amount of income except in the following circumstances:

- (1) If the individual is an authorized Medicaid recipient, the individual's statement as to both sources and amount of family income shall be accepted. The agency shall verify the individual's status as a recipient.
- (2) If the individual declares that his/her only source of family income is from Old Age, Survivors and Disability Insurance (OASDI) benefits, the agency shall accept his/her statement as to both the source and amount of income.
- (3) If the individual declares no income, the agency worker shall accept the statement and document it.

*History Note: Authority G.S. 143B-153;*  
*Eff. July 1, 1983;*  
*Amended Eff. November 1, 2007; June 1, 1990;*  
*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.*

#### **10A NCAC 71R .0703 DECLARATION METHOD**

Under the declaration method of eligibility determination, an agency shall accept an individual's statement as to his/her status as an income maintenance recipient or statement as to both the sources and amount of his/her family gross income. When an agency has reason to believe that the individual's declaration may be inaccurate, an agency shall use the verification method as described in Rule .0702 of this Subchapter.

*History Note: Authority G.S. 143B-153;*  
*Eff. July 1, 1983;*  
*Amended Eff. November 1, 2007;*  
*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.*

#### **10A NCAC 71R .0704 METHOD OF DETERMINING NEED FOR SERVICES**

An agency shall make an assessment of need for services provided on the basis of need without regard to income and funded under the Social Services Block Grant (Title XX). The determination of need is met when the client's situation fits the criteria contained in the target population, described for each service in Section .0900 of this Subchapter.

*History Note: Authority G.S. 143B-153;*  
*Eff. July 1, 1989;*  
*Amended Eff. November 1, 2007; May 1, 1990;*  
*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.*

### **SECTION .0800 – NOTICE TO APPLICANT: RECIPIENT: AUTHORIZED REPRESENTATIVE**

### **10A NCAC 71R .0801 NOTIFICATION TIME FRAMES**

(a) The agency shall ensure that the notice of the eligibility decision on the applicant's request for service(s) is delivered to the client or mailed and postmarked no later than 15 calendar days after the eligibility decision is made or within 30 calendar days of the date of application, whichever comes first.

(b) For additional services requested after the initial application, but while the recipient is still receiving service(s), the agency shall deliver notice to the client or mail and postmark the notice no later than 15 calendar days after the date the mailed request is received in the agency.

(c) Time frames for termination or modification of services are provided in G.S. 108A-79.

(d) Notice of termination may be given or sent on the day of termination, in the following circumstances:

- (1) The agency receives a written statement, signed by the recipient or his/her representative requesting that the services be terminated because they are no longer needed or wanted;
- (2) The recipient has been admitted to an institution and is no longer able to avail himself/herself to the service(s); or
- (3) The recipient has moved to another county or state.

*History Note: Authority G.S. 143B-153;  
Eff. July 1, 1983;  
Amended Eff. November 1, 2007;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.*

### **10A NCAC 71R .0802 DEFINITION OF SERVICE PROVISION**

Service provision means delivery of the service directly by agency staff or authorization for the purchase of the service from another provider.

*History Note: Authority G.S. 143B-153;  
Eff. July 1, 1983;  
Amended Eff. November 1, 1984;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.*

### **10A NCAC 71R .0803 REQUIREMENTS FOR PROMPT PROVISION**

(a) Where an individual's eligibility for a service is established in accordance with Rule .0602 of this Subchapter, the service must be provided as follows:

- (1) Initial service(s) must be provided within 15 calendar days of the date the notice of eligibility is given or sent to the client; and
- (2) For additional service(s) requested during an ongoing period of eligibility, the service must be provided within 30 calendar days of the date the request was received by the agency.

(b) Where a requested service cannot be provided within timeframes listed in paragraph (a), the application for the service must be denied unless, for services funded with Social Services Block Grant (Title XX) funds administered by the Division of Social Services, the agency has adopted a local waiting list policy that provides otherwise as follows:

- (1) Local waiting list policies must be in writing and must be approved by the county board of social services.
- (2) Local waiting list policies must designate whether the waiting list is used for purposes of meeting prompt provision requirements or to respond to inquiries about services or both.
- (3) Local waiting list policies must assure that all individuals are treated equitably in terms of the manner in which they are advised of the upcoming availability of services.
- (4) Local waiting list policies must ensure that an individual's name does not remain on the waiting list indefinitely without the individual being notified of the status of his/her request and the anticipated availability of the service. To this extent, the waiting list policy must designate a reasonable time period, not to exceed 90 days, that an individual's name can remain on the waiting list prior to providing the service or notifying the individual that the service cannot be provided.

*History Note: Authority G.S. 143B-153;  
Eff. July 1, 1983;*

*Amended Eff. November 1, 2007; May 1, 1990; November 1, 1984;  
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## **SECTION .0900 - SERVICE DEFINITIONS**

### **10A NCAC 71R .0901 ADOPTION SERVICES**

(a) Primary Service. Adoption services are: the recruitment, study and selection of adoptive homes; social casework and other diagnostic and treatment services to prepare the child and prospective parents for placement; casework services to the child and adoptive parents to support and maintain the placement and to facilitate legal consummation of the adoption including supervision and reports to the court; casework counseling and court related services in independent placements and in adoptions by stepparents and relatives as required by statute; and casework services to facilitate interstate and intercountry adoptions including those activities required to bring such interstate planning and placements into compliance with the interstate compact on the placement of children; and the provision of post-adoption services including, but not limited to, casework services designed to support the achievement of long range adjustment between the child and members of the adoptive family, and to assist the adoptee to gain understanding of his biological heritage to the extent allowed by law. At its option, the county may provide payment of costs incidental to preplacement and placement visits as a resource to facilitate the provision of adoption services, and payment of the cost of legal services to facilitate legal adoption of a child.

(b) Components. None.

(c) Resource Items. None.

(d) Target Population. Children for whom legal adoption is planned or in process.

*History Note: Authority G.S. 143B-153;  
Eff. February 8, 1977;  
Amended Eff. October 1, 1981; October 1, 1979; July 1, 1979; October 1, 1977;  
Transferred from T10.43D .0201 Eff. July 1, 1983;  
Amended Eff. July 1, 1984;  
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### **10A NCAC 71R .0902 COMMUNITY LIVING SERVICES**

(a) Primary Service. Community living services are provided to support continuation of the individual's family or community-based situation, or to prepare him for leaving institutional care and facilitate his transition to living in the community. Such services include training in community living skills and work activity training commensurate with the individual's age and developmental level; recreational and other activities which promote normalization outside an institutional setting; and assistance in arranging for and utilizing community services and resources which support this regimen of services. On an optional basis, services may also include remedial and treatment services necessary to ameliorate the handicapping effects of the disability which prevent or constrain personal, social, and work adjustment (e.g., physical therapy, speech therapy), and food and food services to provide a nutritious meal and snacks during the time clients participate in on-site services; and transportation when needed and not otherwise available to access community living services programs.

(b) Components. None.

(c) Resource Items. None.

(d) Target Population:

- (1) individuals who are mentally retarded;
- (2) individuals who are severely physically disabled.

*History Note: Authority G.S. 143B-153;  
Eff. July 1, 1979;  
Transferred from T10.43D .0234 Eff. July 1, 1983;  
Amended Eff. July 1, 1984;  
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### **10A NCAC 71R .0903 DAY CARE SERVICES FOR ADULTS**

(a) **Primary Service.** Day care services for adults is the provision of an organized program of services during the day in a community group setting for the purpose of supporting adults' personal independence, and promoting their social, physical, and emotional well-being. Services must include a variety of program activities designed to meet the individual needs and interests of the participants, and referral to and assistance in using appropriate community resources. Also included are medical examinations required for individual participants for admission to day care and periodically thereafter when not otherwise available without cost, and food and food services to provide a nutritional meal and snacks as appropriate to the program. Services must be provided in a home or center certified to meet state standards for such programs. Services include recruitment, study and development of adult day care programs, evaluation and periodic re-evaluation to determine if the programs meet the needs of the individuals they serve, and consultation and technical assistance to help day care programs expand and improve the quality of care provided. Transportation to and from the service facility is an optional service that may be provided by adult day care programs.

(b) **Target Population.** Adults who because of age, disability or handicap need the service to enable them to remain in or return to their own homes. Within the target population, eligible clients shall be provided day care services for adults in the following order of priority:

- (1) adults who require complete, full-time daytime supervision in order to live in their own home or prevent impending placement in substitute care (e.g. nursing home, domiciliary home), and adults who need the service as part of a protective services plan;
- (2) adults who need help for themselves with activities of daily living or support for their caregivers in order to maintain themselves in their own homes or both;
- (3) adults who need intervention in the form of enrichment and opportunities for social activities in order to prevent deterioration that would lead to placement in group care;
- (4) individuals who need time-limited support in making the transition from independent living to group care, or individuals who need time-limited support in making the transition from group care to independent living.

*History Note: Authority G.S. 143B-153;  
Eff. February 8, 1977;  
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Transferred from T10.43D .0204 Eff. July 1, 1983;  
Amended Eff. May 1, 1990; July 1, 1984;  
Temporary Amendment Eff. October 1, 2001;  
Amended Eff. August 1, 2002;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.*

#### **10A NCAC 71R .0904 DELINQUENCY PREVENTION SERVICES**

(a) **Primary Service.** Delinquency prevention services are services to youths who are in danger of being confined to a correctional facility, including counseling and other treatment services to provide guidance and direction to youths who are having behavior problems which, if not corrected, may result in their being brought before the court and committed or recommitted to a correctional facility. Also included are counseling or instructions for parents or other caretakers to improve parent or caretaker capacity to supervise the youth; vocational counseling and, where appropriate, assistance in obtaining employment; assistance in establishing better child-school, child-parent, child-community, relationships, assistance in securing better living arrangements; assistance in relieving unnecessary psychosocial pressures on the child or family or both and provision, as appropriate, of information and counseling on drug and alcohol abuse. At county option, residential care, including room and board for up to six months for any one placement, may be provided where necessary to the provision of a comprehensive and intensive regimen of the services described in Paragraph (a) of this Rule. Medical or remedial care are included in such residential care when they are integral, but subordinate parts of the regimen of services. Included are psychiatric diagnosis and treatment and drug therapy as prescribed by a physician.

(b) **Components.** None.

(c) **Resource Items.** None.

(d) **Target Population.** Children between 8 and 18 who are in clear and present danger of being committed or recommitted to the juvenile correctional system.

*History Note: Authority G.S. 143B-153;*

*Eff. February 8, 1977;*  
*Amended Eff. October 1, 1979; October 1, 1977;*  
*Transferred from T10.43D .0206 Eff. July 1, 1983;*  
*Amended Eff. May 1, 1990; July 1, 1984;*  
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#### **10A NCAC 71R .0905 EMPLOYMENT AND TRAINING SUPPORT SERVICES**

(a) Primary Service. Employment and training support services are services provided as part of an individual service plan to enable appropriate individuals to secure paid employment or training leading to employment, including basic education and continuing education. Services include counseling to explore with the individual his current readiness or potential for employment and to assess the feasibility of seeking training or employment in relation to the total needs of the family; providing information about and referral to educational resources, training programs, and possible sources of employment; and counseling and information to encourage and support the individual's employment objectives with respect to such topics as grooming, how to apply to appropriate resources, employer expectations, and constructive resolution of work related problems. Also included is arrangement for or provision of general and specialized diagnostic tests and evaluations to assess the individual's potential for employment and any limitations which affect employment or training. Transportation, when needed to enable individuals to make application and interview for employment and to participate in training leading to employment, may be provided on an optional basis.

(b) Components. None.

(c) Resource Items. At provider option, payment for resource items may be provided to facilitate the provision of employment and training support services. Resource items include tuition, supplies, and rental or purchase of books when needed to assist in meeting the usual expenses of obtaining vocational training, basic education, or a high school education or its equivalent in public or private technical institutes or community colleges; lunches, uniforms, and subject to state office approval, tools and other equipment necessary to enable individuals to accept training or employment when such items are not otherwise available.

(d) Target Population. Individuals who are unable to obtain or retain adequate employment.

*History Note: Authority G.S. 143B-153;*  
*Eff. February 8, 1977;*  
*Amended Eff. October 1, 1979; July 1, 1979; October 1, 1978; October 1, 1977;*  
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#### **10A NCAC 71R .0906 FOSTER CARE SERVICES FOR ADULTS**

(a) Primary Service. Foster care services for adults means recruitment, study and development of family care homes and group care facilities; evaluation and periodic re-evaluation to determine if the home or facility meets the needs of the individuals it serves; and consultation and technical assistance to help family care homes and group care facilities to expand and improve the quality of care provided.

(b) Components. None.

(c) Resource Items. None.

(d) Target Population. Aging, blind, or disabled individuals (18 years or older) or other adults needing to find licensed substitute homes when unable to stay in own home or moving out of institutional care.

*History Note: Authority G.S. 143B-153;*  
*Eff. February 8, 1977;*  
*Amended Eff. October 1, 1979; October 1, 1977;*  
*Transferred from T10.43D .0210 Eff. July 1, 1983;*  
*Amended Eff. March 1, 1994; May 1, 1990; July 1, 1984;*  
*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.*

#### **10A NCAC 71R .0907 FOSTER CARE SERVICES FOR CHILDREN**



(a) Primary Service. Foster care services for children means social casework services through which a plan for substitute care appropriate to a child's needs is evaluated, arranged, maintained and supervised either in the home of a court approved relative or in a licensed or a court approved home or facility when neither of the child's parents are able to care for him/her in an environment free of neglect or abuse. Services include the following:

- (1) Diagnostic study and evaluation, and medical examinations when not otherwise available, to determine the appropriate plan for service and type of placement to meet the child's needs;
- (2) Preparation of the child and natural family for the separation and placement;
- (3) Supervision of the care of the child and of the foster care facility to assure that the child receives proper care during placement;
- (4) Provision of social casework and other treatment services to facilitate the child's psychosocial adjustment and to assist the parents or other responsible relatives to improve conditions and enable the child to return to his/her own home;
- (5) Planning and providing services as necessary for the placement of the child in the home of other relatives, in an adoptive home or in continued foster care as appropriate;
- (6) Provision of casework services and supervision to a child and his/her family from the time the child is returned to the home of his/her parents to the time court action is completed returning legal custody of the child to the parents;
- (7) Foster care services includes identifying children who require placement across state lines, ensuring that such placements are in environments with persons or caretaking facilities having licenses and effecting such placements pursuant to the interstate compact on the placement of children; and
- (8) At county option, the provision of legal services to facilitate permanent planning for a child.

(b) "Placement" pursuant to the interstate laws means the arrangement for the care of a child in either a family or foster care facility but does not include any medical facility or facility licensed under standards adopted by the North Carolina Division of Mental Health, Developmental Disabilities, and Substance Abuse Services. Services include the following:

- (1) Ongoing supervision;
- (2) Recruitment study and development of foster families and child care facilities, assessment and periodic reassessment to determine if the home or facility meets the needs of children it serves; and
- (3) Consultation, technical assistance, and training to assist foster families and care facilities to expand and improve the quality of care provided.

(c) Components. Counties may choose between:

- (1) The provision by a foster family home of services which meet the special needs of children in that home; and
- (2) Basic foster care.

(d) Resource Items. At county option, the agency may pay for resource items to support the child's participation in school. Resource items include supplies, special clothes, and fees for membership in school sponsored extracurricular activities.

(e) Target Population. The target population is children in need of a supervised plan of substitute care.

*History Note: Authority G.S. 143B-153;  
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## **10A NCAC 71R .0908 HEALTH SUPPORT SERVICES**

(a) Primary Service. Health support services means helping individuals and families to:

- (1) Recognize health needs including those related to alcohol and drug abuse;
- (2) Cope with incapacities and limited functioning resulting from aging or disability; and
- (3) Choose, obtain and use resources and mechanisms of support under Medicaid (including the early and periodic screening, diagnosis and treatment program), medicare, maternal and child health programs and from other public or private agencies or providers of health services;

- (4) Receive counseling and planning for the individuals, families and health providers to help assure continuity of treatment and the carrying out of health recommendations;
  - (5) Secure admission to medical institutions and children to secure admission to other health-related facilities as needed; and family planning services as described in Paragraph (b) of this Rule; and
  - (6) At county option, receive transportation, when not otherwise available as necessary to access needed medical and health care resources.
- (b) Components. There are two components to Health Support Services:
- (1) The Primary Service as described in Paragraph (a) of this Rule; and
  - (2) Family planning services to enable individuals and families to voluntarily limit the family size or to space the children, and to prevent or reduce the incidence of births out of wedlock. Such services include educational activities, the provision of printed materials, counseling about family planning and genetics, help in utilizing medical and educational services available in the community, and educational services in human sexuality appropriate to an individual's emotional and social adjustment and physical development.
- (c) Optional Resource Items.
- (1) Medical Services. An agency may pay for medical services for nontherapeutic sterilization for individuals who are recipients of, Work First Family Assistance, SSI, or protective services or whose family income is less than 80 percent of the Federal Poverty Guidelines as provided annually in the Federal Register by the U.S. Department of Health and Human Services (HHS).
  - (2) Resources for the Aging or Persons with Disabilities. At county option the agency may provide any combination of the following resource items to enable the aging or persons with disabilities to attain or maintain the highest level of functioning possible, to promote their well-being and to prevent or reduce inappropriate institutional care:
    - (A) Assistance with communication to enable individuals to utilize needed health and medical resources and other community services and resources through the provision of interpreters for the deaf and the provision of telephones when not otherwise available for the aging, disabled, or handicapped who are alone and homebound, or who have a health or medical condition which necessitates ready access to or frequent use of a telephone in their home.
    - (B) Mobility assistance for aging and disabled persons, through the installation of ramps, rails and other safety measures at the individual's home and the provision of escort service to health facilities and other needed resources for individuals unable to travel or wait alone.
    - (C) Arranging for or providing friendly visitors or companions for part of a day to assist individuals who, because of frailty, physical or mental disability or social isolation, have limited contacts with other people.
    - (D) Provision of special health needs and supplies such as ostomy supplies, oxygen, bandages, orthopedic and other appliances needed by aging and disabled individuals in their own homes and not available through Medicaid, Medicare or resources without cost.
- (d) Target Population: The target population includes:
- (1) individuals or families experiencing health related problems;
  - (2) for the family planning component, individuals (male or female) who are of age to produce children.

*History Note: Authority G.S. 143B-153;  
 Eff. February 8, 1977;  
 Amended Eff. March 1, 1983; September 1, 1982; March 1, 1982; October 1, 1979;  
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**10A NCAC 71R .0909 HOUSING AND HOME IMPROVEMENT SERVICE**

(a) Housing and home improvement is a supportive service which may make a difference in the lives of individuals and families who wish to live independently in safe affordable homes within their communities of choice. This

service can enable individuals and families to obtain, retain or return to independent housing, and resolve health and safety issues affecting their home or areas adjacent to their home. For the purpose of this Subchapter, the service has three elements:

- (1) Housing services that support independent living by providing information to individuals and families to enable them to obtain housing, retain the housing they have or return to independent housing.
- (2) Home improvement services that identify health and safety issues affecting the home or areas adjacent to the home and provide needed improvements to resolve those issues including modifications to the home to promote mobility.
- (3) Provision of, or replacement of, basic furnishings or household appliances which promote independent living.

(b) Target Population. Individuals or families who reside within a county where housing and home improvement services are funded and need one or more elements of the service are considered the target population. Within the target population eligible individuals or families must be served in the following order of priority when there are others waiting for service:

- (1) adults and children for whom the need for protective services has been substantiated and the service is needed as part of a protective services plan as defined in 10A NCAC 71R .0915 and .0916, or intervention plan as referred to in 10A NCAC 70A .0107, including all subsequent amendments;
- (2) adults who are at risk of abuse, neglect or exploitation and children who are at risk of abuse, neglect, or dependency as defined in 10A NCAC 22O .0123, including all subsequent amendments;
- (3) adults with extensive ADL or IADL impairments who are at risk of placement in a health care facility as defined in G.S. 108A-60;
- (4) children who need the service as part of a plan of preventive services designed to strengthen the family and preserve the home for the child, or as part of permanency planning to enable a child to return home from substitute care;
- (5) adults with three or more ADL or IADL impairments; and
- (6) adults with one or two ADL or IADL impairments.

(c) The terms ADL and IADL as used in this Section are defined in 10A NCAC 06W .0105, including all subsequent amendments.

*History Note: Authority G.S. 143B-153;  
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#### **10A NCAC 71R .0910 INDIVIDUAL AND FAMILY ADJUSTMENT SERVICES**

(a) Primary Service. Individual and family adjustment services are designed to offer assistance to individuals and their family members in support of attempts to restructure or solidify the individual's environment. Activities include counseling to enable the individual to recognize, understand, and cope with problems and conflicts in regard specifically to such areas as household management, consumer affairs, family life, alcoholism, drug addiction, mental retardation, emotional disturbance, and school related problems. Such counseling is also designed to help individuals independently utilize community resources, including other social services; take advantage of natural support systems; and achieve an adequate level of functioning within the family. Also included is arranging for other services when needed to support the provision of individual and family adjustment services; diagnostic psychological study and evaluation necessary to determine the appropriate plan of service; activities associated with fulfilling the agency's responsibility to serve as guardian or representative payee for individual clients; and social development through therapeutic groups as a part of a service plan to give individuals opportunities for participation in structured group activities focused on helping them cope with personal problems, develop capacities for more adequate social functioning and relieve social isolation.

(b) Components. Day or residential camp experience for school-age children and therapeutic camp for developmentally disabled or handicapped individuals and their families and for youths whose behavior is delinquent or undisciplined may be provided at county option.

(c) Resource Items. None.

(d) Target Population:

- (1) individuals who need assistance in order to fully and appropriately utilize social services;
- (2) individuals who need assistance in coping with specific problems, such as household management, consumer affairs, family life, alcoholism, drug addiction, mental retardation, emotional disturbance, and school related problems.

*History Note: Authority G.S. 143B-153;  
Eff. July 1, 1979;  
Transferred from T10.43D .0237 Eff. July 1, 1983;  
Amended Eff. July 1, 1984; December 1, 1983;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.*

### **10A NCAC 71R .0911 IN-HOME AIDE SERVICES**

In-home aide services are provided to enable individuals and families to remain in or return to their own homes and communities. To this end, at least one level of this service must be available in each geographic area.

- (1) Primary Service. In-Home Aide Services are those paraprofessional services which assist individuals and children and their families with essential home management tasks, personal care tasks, or supervision, or all of the tasks in this Paragraph, to enable individuals and children and their families to remain, and function effectively, in their own homes as long as possible.
- (2) Component. In-Home Aide Services may be used for the purpose of providing respite for a primary caregiver or for parents. For this purpose, In-Home Aide Services may be provided to individuals in their own homes or in the home of their primary caregiver and to children and their families in their own homes. Respite Care may consist of any level of home management or personal care tasks.
- (3) Resource Items. None.
- (4) Target Population. Individuals who are unable to carry out tasks essential to the activities of daily living or the instrumental activities of daily living, or both, who have no responsible person available to perform these tasks, and who need the service in order to remain in their own homes. Children and their families who need help remaining in their own homes, or who need help in maintaining, strengthening, and safeguarding their functioning because of economic dependency, physical or emotional illness or handicap or to preserve and strengthen family functioning. Also included are children and functionally impaired individuals whose primary caregivers or parents need relief from everyday caregiving responsibilities in order for the children and impaired individuals to remain at home. Within the target population eligible clients must be served in the following order of priority:
  - (a) adults and children for whom the need for protective services has been substantiated and the service is needed as part of a protective services plan;
  - (b) adults who are at risk of abuse, neglect or exploitation and children who are at risk of abuse, neglect, or dependency;
  - (c) adults with extensive ADL or IADL impairment who are at risk of placement in substitute care and children who are at risk of placement in substitute care;
  - (d) children who need the service as part of a plan of preventive services designed to strengthen the family and preserve the home for the child, or as a part of permanency planning to enable a child to return home from substitute care; and adults with three or more ADL or IADL impairments;
  - (e) adults with one or two ADL or IADL impairments.

*History Note: Authority G.S. 143B-153;  
Eff. July 1, 1979;  
Amended Eff. July 1, 1982; October 1, 1981; October 1, 1980; October 1, 1979;  
Transferred from T10.43D .0238 Eff. July 1, 1983;*

*Amended Eff. December 1, 1991; May 1, 1985; July 1, 1984;*  
*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.*

#### **10A NCAC 71R .0912 PERSONAL AND FAMILY COUNSELING**

(a) Primary Service. Personal and family counseling means the rendering of counseling services or therapy to individuals, either singly or in groups, for the purpose of resolving emotional conflicts within social relationships. It operates through a process of mobilizing the strengths inherent in the person which are needed to deal with immediate situations and developing the coping ability of the family and its members to use themselves effectively in life roles and tasks. The process involves a professional relationship with a skilled counselor to help the clients assess the situation, to plan steps for dealing with it, and to take appropriate action.

(b) Components. None.

(c) Resource Items. None.

(d) Target Population. Individuals experiencing stress which impedes satisfactory emotional adjustment and is causing serious conflicts in interpersonal relationships.

*History Note: Authority G.S. 143B-153;*  
*Eff. February 8, 1977;*  
*Amended Eff. October 1, 1979;*  
*Transferred from T10.43D .0219 Eff. July 1, 1983;*  
*Amended Eff. May 1, 1990; July 1, 1984;*  
*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.*

#### **10A NCAC 71R .0913 PREPARATION AND DELIVERY OF MEALS**

(a) Primary Service. This service means the preparation and delivery of nutritious meals to a blind, aging, or disabled individual in his own home or in a central dining facility as necessary to prevent institutionalization or malnutrition. The cost of raw food necessary to provide the meal service is included.

(b) Components. None.

(c) Resource Items. None.

(d) Target Population. Blind, aging, or disabled individuals needing nutritious meals in their own home or in a central dining facility as necessary to prevent malnutrition or institutionalization. Within the target population, eligible clients shall be provided meal services in the following order of priority:

- (1) aged or disabled individuals who need the service to avoid impending placement in substitute care (e.g. nursing home, domiciliary home, foster home) and adults who need the service as part of a protective services plan;
- (2) aged or disabled adults who live alone and need the service to maintain self-sufficiency and prevent deterioration that may lead to placement in substitute care;
- (3) aged and disabled individuals who can receive some needed care from others but who need the service to enable their caregivers to maintain employment or to otherwise support the caregiver's efforts to keep them in their own homes.

*History Note: Authority G.S. 143B-153;*  
*Eff. February 8, 1977;*  
*Amended Eff. July 1, 1982; October 1, 1979;*  
*Transferred from T10.43D .0220 Eff. July 1, 1983;*  
*Amended Eff. July 1, 1984;*  
*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.*

#### **10A NCAC 71R .0914 PROBLEM PREGNANCY SERVICES**

(a) Primary Service. Problem pregnancy services are services to individuals who are involved with an undesired pregnancy. Services include counseling to assist such individuals in looking at alternative solutions to the unwanted pregnancy (i.e., abortion, adoption, or keeping the baby), and at the probable consequences of each alternative, and assistance in arranging for and utilizing other needed services. Residential care, including a concentrated regimen of services as described in (a) of this Rule, room and board for up to six months, medical supervision, and medications

required for health maintenance in pregnancy as prescribed by a physician may be provided when such care is provided in an approved living arrangement prescribed in 10A NCAC 71L .0101(5) and .0102(f). Psychiatric counseling specifically related to help in coping with the pregnancy may also be included as an integral but subordinate part of the regimen of residential services.

(b) Components. None.

(c) Resource Items. None.

(d) Target Population. Individuals (male or female) involved with an undesired pregnancy. The residential care component is available to females.

*History Note: Authority G.S. 143B-153(2a)b.;*  
*Eff. February 8, 1977;*  
*Amended Eff. October 1, 1979; July 1, 1978;*  
*Transferred from T10.43D .0221 Eff. July 1, 1983;*  
*Amended Eff. May 1, 1990; October 1, 1987; July 1, 1984;*  
*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.*

### **10A NCAC 71R .0915 PROTECTIVE SERVICES FOR ADULTS**

(a) Primary Service. Protective services for adults are services provided to correct or prevent further abuse, neglect, exploitation or hazardous living conditions of individuals 18 years of age or older or lawfully emancipated minors who are unable to manage their own resources, carry out the activities of daily living or protect their own interests. Services include acceptance and evaluation of reports of the need of individuals for protective services; planning and counseling with such individuals and their relatives or caretakers to identify, remedy or prevent problems which result in abuse, neglect or exploitation; assisting in arranging for appropriate alternate living arrangements in the community or in an institution; and arranging for the provision of medical, legal and other services as needed and appropriate. Also included are assistance in arranging for protective placement, guardianship or commitment when needed as part of the protective services plan, and carrying out the duties of guardian or representative payee when part of a protective services plan; and the provision of medical and psychological diagnostic studies and evaluations where needed to substantiate and assess the circumstances of abuse or neglect. At its option, the county may provide advocacy, including legal services, to assure receipt of rights and entitlements due to adults at risk, and services of lawyers to represent the agency where court action is necessary to protect adults.

(b) Components. None.

(c) Resource Items. None.

(d) Target Population. "Disabled" adults (18 years or older or lawfully emancipated minor) who are unable to manage their own resources, carry out activities of daily living, or protect their own interests.

*History Note: Authority G.S. 143B-153;*  
*Eff. February 8, 1977;*  
*Amended Eff. October 1, 1981; October 1, 1979; October 1, 1977;*  
*Transferred from T10.43D .0222 Eff. July 1, 1983;*  
*Amended Eff. May 1, 1990; July 1, 1984; December 1, 1983;*  
*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.*

### **10A NCAC 71R .0916 PROTECTIVE SERVICES FOR CHILDREN**

(a) Primary Service. Protective services for children are social services provided to children and their parents or other caretakers in response to instances of actual or suspected child neglect, abuse or dependency. The primary elements of protective services consist of:

- (1) Identifying children at risk;
- (2) Receiving and assessing reports of neglect, abuse or dependency;
- (3) Evaluating the degree of damage or risk to the child;
- (4) Cooperating with law enforcement agencies as required to obtain suitable care and services for children in or out of their own homes and initiation of court action where necessary;
- (5) Counseling and planning with the child's family toward the solution and prevention of problems causing neglect, abuse or dependency; and

- (6) Arranging for the provision of, and assisting families in utilizing appropriate services and community resources such as foster care, child care, health and mental health services, and homemaker services as needed. These services are included for runaways, harmed or threatened with harm by virtue of their status as runaways. Included also are service activities necessary to carry out statutory responsibility to approve or disapprove the separation of a child under six months of age from its parent. The county may provide counseling and therapy for children and their parents or guardians, training courses for parents or guardians of the individual child, and services of lawyers to represent the agency where court action is necessary to protect children.

(b) Components:

- (1) A component of protective services for children is the provision of medical, psychological and medicolegal diagnostic studies and evaluations where needed to substantiate, find services needed and assess the circumstances of abuse or neglect are included;
- (2) A component of protective services for children may be the provision of emergency shelter, at county option.

(c) Resource Items. There are no resource items.

(d) Target Population. The target population is children (birth through 17 years) in actual or suspected danger of child neglect, abuse, or dependency.

*History Note: Authority G.S. 143B-153;  
Eff. February 8, 1977;  
Amended Eff. October 1, 1979; October 1, 1977;  
Transferred from T10.43D .0223 Eff. July 1, 1983;  
Amended Eff. November 1, 2007; July 1, 1984; December 1, 1983;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.*

#### **10A NCAC 71R .0917 RESIDENTIAL TREATMENT FOR THE EMOTIONALLY DISTURBED**

(a) Primary Service. Residential treatment means services provided in an environment effectively structured and designed as a therapeutic milieu to meet individualized needs of emotionally disturbed individuals. Services should initiate and direct recovery from the incidence and debilitating effects of emotional disturbance in such manner that rehabilitation toward adequate social and emotional functioning can be continued by follow-up support and treatment in home and community. Included are room and board for up to six consecutive months for any one placement in residential treatment. Psychiatric counseling and drug therapy specifically related to the treatment of the individual's emotional disturbance may be provided as integral but subordinate to the regimen of residential treatment services.

(b) Components. None.

(c) Resource Items. None.

(d) Target Population. Emotionally disturbed children who are a placement responsibility (by legal custody or voluntary agreement) of county departments of social services and for whom other program resources are not available.

*History Note: Authority G.S. 143B-153;  
Eff. July 1, 1979;  
Amended Eff. April 1, 1983;  
Transferred from T10.43D .0240 Eff. July 1, 1983;  
Amended Eff. July 1, 1984;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.*

#### **10A NCAC 71R .0918 TRANSPORTATION SERVICES**

(a) Primary Service. Transportation services mean providing transportation as part of a service plan to enable individuals for whom transportation is not otherwise available to have access to medical and health resources, shopping facilities, education, recreational and employment and training opportunities, and other community facilities and resources, and to support the delivery of other social services.

(b) Components. None.

(c) Resource Items. None.

(d) Target Population. All individuals in need of the service who meet the general eligibility criteria.

*History Note: Authority G.S. 143B-153;  
Eff. February 8, 1977;  
Amended Eff. July 1, 1979;  
Transferred from T10.43D .0230 Eff. July 1, 1983;  
Amended Eff. July 1, 1984;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.*

#### **10A NCAC 71R .0919 ADULT PLACEMENT SERVICES**

(a) Primary Service. Adult Placement Services are activities necessary to assist aging or disabled individuals and their families or representatives in finding substitute homes or residential health care facilities suitable to their needs when they are unable to remain in their current living situations. Activities include completing an initial screening and assessment while providing counseling to help the individual and his family or representative to determine the need for initial or continued placement; assisting in the process for completing necessary financial applications and medical evaluations; helping to locate and secure placement in a suitable setting and level of care; supporting an individual and his family or representative in the individual's transition from one location to another; and providing counseling and other services to help the individual adjust to the new setting and maintain the placement. Adult Placement Services also include assisting individuals, when requested, to return to more independent settings in the community, or to relocate in more appropriate settings when new levels of care are needed.

Adult Placement Services must be provided by every county department of social services.

(b) Components. None.

(c) Resource Items. None.

(d) Target Population. An individual is considered to be in the target population if Adult Placement Services are appropriate and desired based on one of the following client needs:

- (1) Adults who are unable to maintain themselves in their own homes independently or with available community or family supports.
- (2) Adults who are living in substitute homes, residential health care facilities or institutions, and who need assistance in relocating due to changes in the level of care needed or other factors indicating that alternative settings may be more appropriate.
- (3) Adults who are living in substitute homes, residential health care facilities or institutions, and who need assistance in returning to more independent living arrangements in the community.
- (4) Adults who are living in substitute homes or residential health care facilities, and who need assistance in adjusting to or maintaining their placements due to individual or family problems or a lack of resources.

This target population includes wards for whom the director or assistant director of the county department of social services is the guardian.

(e) Once an individual is determined to be in the target population, Adult Placement Services are provided in the following order of priority:

- (1) Adults receiving protective services for whom Adult Placement Services is in their protective services plans.
- (2) Adults who are at risk of abuse, neglect, or exploitation because:
  - (A) they need assistance with activities of daily living, instrumental activities of daily living, or health care and they have no caregiver, or the caregiver is not able, willing or responsible to provide the amount or type of assistance needed; or
  - (B) they were previously abused, neglected or exploited and the conditions leading to that situation continue to exist.
- (3) Adults who have problems which place them at risk of losing their current living situations.
- (4) Adults who do not meet any of the first three priority groups but whose quality of life would be improved with Adult Placement Services.

*History Note: Authority G.S. 143B-153;  
Eff. March 1, 1994;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.*



