

10A NCAC 89C .0103 RATES OF PAYMENT

(a) Rules governing rates of payment for all purchases, vocational rehabilitation services, and current rates of payment may be reviewed 8 a.m. to 5 p.m., Monday through Friday, at the Division's State office, 805 Ruggles Drive, Dorothea Dix Campus, Raleigh, North Carolina or on the Division's internet site. Vendors providing any services authorized by the Division shall agree not to make any charge to, or accept payment from, the individual receiving services from the Division or the individual's family for such services unless the amount for such service charge or payment is previously known to and approved by the Division in accordance with Sections .0200 and .0300 of this Chapter.

(b) The Division's rate of payment for post secondary education, graduate, professional and summer school shall not exceed the Division's fixed rate charged for the public university and professional schools system and the rate charged for the community college system for tuition and fees as approved by the North Carolina General Assembly October 2001.

(c) The Division's rate of payment for proprietary for profit vocational and trade schools or other training programs that offer curriculums comparable to those offered through the community college system shall not exceed the rate for payment established for the community college system.

(d) The Division's rate of payment for proprietary for profit vocational and trade schools or other training programs that offer an accelerated or condensed curriculum or those training programs that offer training in areas not offered through the community college system shall not exceed the Division's fixed rate for the public university system per semester multiplied by two.

(e) The Division's rate of payment for proprietary for profit vocational and trade schools and any other vocational or trade program that does not operate on a semester system or has varying program lengths up to one year shall not exceed a prorated monthly rate based on the Division's fixed rate for the public university system per semester multiplied by two and the Division's fixed rate for a session of summer school in the public university system multiplied by two.

(f) The Division's rate of payment for proprietary for profit vocational and trade schools and any other vocational or trade programs that does not operate on a semester system or has a varying program length that is twelve months or longer shall not exceed the Division's fixed rate for the public university system per semester multiplied by two and the Division's fixed rate for a session of summer school in the public university system multiplied by two.

(g) The Division's rate of payment for those individuals who are North Carolina residents and choose to attend training programs out-of-state, is limited to the Division's fixed rate specified in Paragraph (b) of this Rule.

(h) The Division's rate of payment for optional fees at the community college system shall not exceed the amount approved by the local community college boards.

(i) No training or training services in an institution of higher education (universities, colleges, community or junior colleges, vocational schools, technical institutes, or hospital schools of nursing) as noted in Rule .0205, Paragraph (a)(9) of this Subchapter shall be paid for with vocational rehabilitation funds until maximum efforts have been made by the designated state unit and the individual to secure grant assistance in whole or part from other resources to pay for training and such assistance is applied to the cost of training.

(j) The Division's rate of payment for community rehabilitation programs approved for vendorship shall be determined as follows:

- (1) Community rehabilitation programs approved by the Division for outcome based payment shall be paid based upon the Division's established benchmark rate. A payment is made for each benefit or outcome achieved that the vendor contracts with the Division to provide. The benchmark rate is determined based on average cost of outcomes for fiscal years 1997, 1998, and 1999. These benchmark rates are published in DVR-Vol V fee schedule manual.
- (2) Community rehabilitation programs approved by the Division for fee for service shall be paid an hourly rate for providing the services authorized by the Division. The rate is established by the Division based on historical cost finding. The vendor shall be reimbursed based on the number of hours of actual services provided.
- (3) Any adjustments to the rate shall be determined by the Division based on availability of funds and shall not exceed 85 percent of the annual salary increases for state employees as awarded by the legislature.

*History Note: Authority G.S. 143-545.1; 34 C.F.R. 361.50;
Eff. February 1, 1976;
Amended Eff. May 1, 1990;
Temporary Amendment Eff. January 26, 2003; May 1, 2002;*

*Amended Eff. April 1, 2007; August 1, 2004;
Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1,
2016.*