

**10A NCAC 13B .3205 DISCHARGE OF MINOR OR INCOMPETENT**

Individuals who cannot legally consent to his or her own care shall be discharged to the custody of parents, legal guardian, person standing in loco parentis, or patient representative pursuant to 42 CFR 483.12(a)(1) herein incorporated by reference with subsequent amendments and editions, unless otherwise directed by the parent or guardian, or court of competent jurisdiction. This regulation may be accessed at <https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/CertificationandCompliance/Hospitals> at no cost. If the parent or guardian directs that discharge be made otherwise, he or she shall so state in writing, and the statement shall become a part of the permanent medical record of the patient.

*History Note: Authority G.S. 131E-79;  
Eff. January 1, 1996;  
Readopted Eff. April 1, 2020.*