

10A NCAC 27G .0602 DEFINITIONS

In addition to the terms defined in G.S. 122C-3 and Rules .0103 and .0104 of this Subchapter, the following terms shall apply to the rules in this Section:

- (1) "Complaint investigation" means the process of determining if an allegation made against a provider concerning the provision of public services is substantiated.
- (2) "ICF/MR" means a facility certified for Medicaid as an Intermediate Care Facility for the Mentally Retarded.
- (3) "Level I incident" means the same as defined in 10A NCAC 27G .0103(b)(32) and does not meet the definition of a level II incident or level III incident.
- (4) "Level II incident" means the same as defined in 10A NCAC 27G .0103(b)(32), including a client death due to natural causes or terminal illness, or results in a threat to a client's health or safety, or a threat to the health or safety of others due to client behavior and does not meet the definition of a level III incident.
- (5) "Level III incident" means the same as defined in 10A NCAC 27G .0103(b)(32) and results in:
 - (a) a death, sexual assault, or permanent physical or psychological impairment to a client;
 - (b) a substantial risk of death, or permanent physical or psychological impairment to a client;
 - (c) a death, sexual assault, permanent physical or psychological impairment caused by a client;
 - (d) a substantial risk of death or permanent physical or psychological impairment caused by a client; or
 - (e) a threat caused by a client to a person's safety.
- (6) "Local Monitoring" means LME monitoring of the provision of public services in its catchment area that are provided by Category A and B providers.
- (7) "Monitor" or "Monitoring" means the interaction between the LME and a provider of public services regarding the functions set forth in Rule .0601(c) of this Section.
- (8) "Provider category" means the type of facility in which a client receives services or resides. The provider category determines the extent of monitoring that a provider receives and is determined as follows:
 - (a) Category A - facilities licensed pursuant to G.S. 122C, Article 2, except for hospitals. These include 24-hour residential facilities, day treatment, PRTFs and outpatient services;
 - (b) Category B – G.S. 122C, Article 2, community based providers not requiring State licensure;
 - (c) Category C - hospitals, state-operated facilities, nursing homes, adult care homes, family care homes, foster care homes or child care facilities; and
 - (d) Category D - individuals providing only outpatient or day services and who are licensed or certified to practice in the State of North Carolina.

*History Note: Authority G.S. 122C-112.1; 143B-139.1;
Temporary Adoption Eff. July 1, 2003;
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Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20, 2019.*