

10A NCAC 43A .0505 STERILIZATION

(a) Local providers shall not use federal funds to pay for sterilization procedures, including arranging for such procedures, unless all the requirements of 42 C.F.R., 50.201 through 50.204, which are adopted by reference in accordance with G.S. 150B-14(c), have been met. In addition, informed consent procedures for sterilization operations contained in Chapter 90, Article 19, of the North Carolina General Statutes, which are adopted by reference in accordance with G.S. 150B-14(c), shall also be followed.

(b) Local providers shall follow Chapter 35, Article 7, of the North Carolina General Statutes, which are adopted by reference in accordance with G.S. 150B-14(c), in cases involving sterilization of mentally ill and mentally retarded persons.

(c) Local providers shall notify the branch of any sterilization covered by (a) of this Rule.

(d) Local providers receiving funds from the branch are subject to penalty if they coerce or try to coerce any individual to undergo a sterilization.

*History Note: Authority G.S. 130A-124; 42 C.F.R. 50.205; 42 C.F.R. 50.208;
Eff. December 1, 1980;
Amended Eff. September 1, 1990.*