

15A NCAC 18A .2305 AGENTS SERVING AS CONTRACTORS

The Division may allow an agent who is authorized in a specific local health department to contract with another local health department to provide services to the other local health department. When a local health department contracts for such services, the contracting department shall provide a statement to the Division on progress made to employ an individual who may be considered for authorization.

- (1) A contract shall be created between the contracting local health department and the agent (contractor) to include at least the following provisions:
 - (a) Names and addresses of each party.
 - (b) Scope of work to be performed.
 - (c) A requirement that the original public records remain in the local health department in which the work is performed. The public records shall be left at the local health department or with an individual employed by the local health department who shall be responsible for returning said records to the local health department within two business days of the service provided.
 - (d) Designation of the party responsible for maintaining public records created by the agent.
 - (e) A requirement that the contracting agent be available for consultation to the public being served during usual business hours.
 - (f) A requirement that the contracting agent be available for any hearing or other legal proceeding which may ensue from activities conducted by the agent.
- (2) The contracting agent shall maintain a list of each activity and the date performed for review in accordance with Item (3) of this Rule.
- (3) Each public record created by the contracting agent shall be reviewed, dated, and initialed by an authorized agent of the contracting local health department. In addition, at least 10 percent of the activities performed by the agent shall be reviewed in the field by an authorized agent employed by the contracting local health department. If the contracting local health department has no authorized employee, the Division shall conduct a review of each public record created by the contracting agent. In addition, at least 10 percent of the activities performed by the agent shall be reviewed on-site in the field by the Division. The review shall be conducted each month and shall cover the previous month's activities conducted by the agent.

History Note: Authority G.S. 130A-4; 130A-29;
Eff. October 1, 1985;
Amended Eff. July 1, 1998; September 1, 1990;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20, 2019.