

1 10A NCAC 23G .0203 is proposed for readoption without substantive changes as follows:

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3 **10A NCAC 23G .0203 TIME LIMITS FOR CORRECTIONS**

4 (a) The county department of social services and Division of Health Benefits (Division) ~~Medical Assistance~~ shall  
5 make corrections required by Rule .0202 of this Section within 30 days after discovery of the need for action unless  
6 good cause exists to extend the time limit. ~~for failure to act timely.~~

7 (b) For the purposes of this Rule, good ~~Good~~ cause is limited to:

8 (1) The need ~~of the county department of social services to obtain verification, as defined at 10A NCAC~~  
9 23A .0102, of ~~verify~~ other conditions of eligibility before authorizing eligibility; ~~or~~

10 (2) The county department of social services is unable to locate the applicant or recipient; or

11 (3) The county department of social services disagrees with a decision requiring corrective action and  
12 requests ~~has requested~~ administrative review by the ~~Medicaid Eligibility the Division; Section;~~

13 (c) To receive State ~~state~~ and federal financial participation in any benefits authorized retroactively by corrective  
14 actions, the effective date of the correction must correspond with the date assistance would have been effective but  
15 may be no earlier than the following dates:

16 (1) Retroactive to the date ordered by the appeal or court decision if all eligibility conditions are met,  
17 including any legal retroactive coverage period associated with the adverse action; ~~or~~

18 (2) Retroactive to the date that all requirements of eligibility are met but no earlier than the 12<sup>th</sup> month  
19 immediately preceding the month the change is reported or the administrative error was discovered;  
20 or

21 (3) Retroactive to the date required for corrective action due to errors cited from monitoring under  
22 application processing standards in 10A NCAC 23C .0202.

23 (d) If the change is adverse to the recipient, it shall be effective ~~with~~ the first calendar month following expiration of  
24 the ~~10 work~~ business day advance notice period, as defined in 10A NCAC 23A .0102. ~~period.~~

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26 *History Note: Authority G.S. 108A-54; 108A-54.1B; 42 C.F.R. 431.246; 42 C.F.R. 431.250; 42 C.F.R. 435.903;*  
27 *435.904; Alexander v. Bruton, U.S.D.C., File No. C-C 74-183-M, Consent Order dismissed effective*  
28 *February 1, 2002;*  
29 *Eff. June 1, 1990;*  
30 *Temporary Amendment Eff. March 1, 2003;*  
31 *Amended Eff. August 1, 2004;*  
32 *Transferred from 10A NCAC 21A .0603 Eff. May 1, 2012; ~~2012~~.*  
33 *Readopted Eff. May 1, 2019.*  
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