

1 10A NCAC 22H .0203 is proposed for readoption without substantive change as follows:

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3 **10A NCAC 22H .0203 INITIATING A HEARING**

4 (a) In order to initiate an appeal of a facility's intent to transfer or discharge, a resident, ~~resident or family member,~~
5 ~~member~~ or legal representative shall submit a written request for a hearing to the Hearing Unit. The request for hearing
6 shall must be received by the Hearing Unit within 11 calendar days from the date of the facility's notice of transfer or
7 discharge. If the eleventh day falls on a Saturday, Sunday or legal holiday, then the period during which an appeal
8 may be requested shall run until the end of the next business day which is not a Saturday, Sunday or legal holiday.

9 (b) The request for hearing shall be submitted to the Hearing Unit by mail, or facsimile, or hand delivery.

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11 *History Note:* Authority G.S. 108A-25(b); 42 USCS 1396r(e)(3), (f)(3); 42 C.F.R. Part 483, Subpart E; 483.12;

12 Eff. April 1, 1994; 1994.

13 Readopted Eff. May 1, 2018.

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