

July 3, 2019

TO: Hospital CEO, Government Relations Officer, Director of Planning

FROM: Mike Vicario, Vice President of Regulatory Affairs, 919-677-4233, mvicario@ncha.org

SUBJECT: Federal and State Regulatory and Planning Topics/

CMS: Conditions of Participation/Hospital Co-Location

CMS has issued draft language with changes proposed to the Interpretive Guidance for Co-location for Hospitals and/or other healthcare entities. The proposal provides clarity in the use of shared spaces, but also includes some explicit restrictions. See the CMS draft, along with NCHA comments at <https://www.ncha.org/wp-content/uploads/2019/07/7.2-co-location-comment.pdf>.

North Carolina Register Report: July 1, 2019

(See <https://www.oah.nc.gov/rules-division/north-carolina-register>)

Proposed Rule Changes: NC Department of Health and Human Services/Division of Health Service Regulation

As a result of the periodic review of Subchapter 10A NCAC 14G, *Exemptions from Prohibitions of Self-Referrals by Health Care Providers for Underserved Areas*, the Division intends to readopt with substantive changes the rule cited as 10A NCAC 14G .0102 and repeal through re-adoption the rules cited as 10A NCAC 14G .0101, .0103, and .0104. (p. 8)

Public Hearing Date:	August 8, 2019
Public Comment period ends:	August 30, 2019
Proposed Effective Date:	November 1, 2019

State Health Coordinating Council/Certificate of Need:

- 1) The Proposed 2020 SMFP has been posted on the Division of Health Service Regulation Website: <https://www2.ncdhhs.gov/DHSR/ncsmfp/2020/proposed2020smfp.pdf>.

Public hearings on the Proposed 2020 SMFP will be held statewide in July. A schedule of the hearings can be found at <https://www2.ncdhhs.gov/dhsr/mfp/publichearing.html#smfp>.

- 2) Several of the Certificate of Need rules (39) are scheduled to be readopted by 2024. Re-adoption will be done in four groups. Group 1 consists of the 10 rules listed below. There will be an opportunity to comment during the formal re-adoption process, but the Agency is offering an opportunity to comment or make suggested changes beforehand.

If you are interested in commenting or making suggested changes, please share them with Martha J. Frisone at martha.frisone@dhhs.nc.gov by close of business on Friday, July 12. Thank you for also sharing your comments with mvicario@ncha.org.

10A NCAC 14C .0202	DETERMINATION OF REVIEW
10A NCAC 14C .0203	FILING APPLICATIONS
10A NCAC 14C .0205	REVIEW PERIOD
10A NCAC 14C .0303	REPLACEMENT EQUIPMENT
10A NCAC 14C .2201	DEFINITIONS (ESRD)
10A NCAC 14C .2203	PERFORMANCE STANDARDS (ESRD)
10A NCAC 14C .3901	DEFINITIONS (GI Endo)
10A NCAC 14C .3903	PERFORMANCE STANDARDS (GI Endo)
10A NCAC 14C .2101	DEFINITIONS (ORs)
10A NCAC 14C .2103	PERFORMANCE STANDARDS (ORs)

- 3) Temporary Rules are filed by the **State Board of Elections** providing clarification of the voting procedure requirements, the required option to vote a provisional ballot, the requirements for acceptable photo identification photo ID and requirements for an absentee ballot. See the notice at <https://files.nc.gov/ncoah/documents/Rules/08-NCAC-10B17-proposed-temporary-rules.pdf>

Public Hearing Date:	July 11, 2019
Public Comment period ends:	July 12, 2019
Proposed Effective Date:	December 19, 2019