

Proposed Readoption of Rules 10A NCAC 26D .1104; .1105; .1202; .1203; .1204; .1206

Purpose of Rule Action: These rules are being re-adopted pursuant to the readoption requirement in N.C.G.S. §150B-21.3A, *Periodic Review and Expiration of Existing Rules*.

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The Notice of Text for the proposed readoption of these rules is available in the *North Carolina Register* Volume 33, Issue 06 scheduled for publication September 18, 2018 accessible via this link: <https://www.ncoah.com/rules/register/>. Hyperlinks to the rules as proposed for readoption are provided below.

1. [10A NCAC 26D .1104, *Involuntary Administration of Psychotropic Medication*](#)
2. [10A NCAC 26D .1105, *Psychotropic Medication Education*](#)
3. [10A NCAC 26D .1202, *Use of Seclusion*](#)
4. [10A NCAC 26D .1203, *Use of Restraint*](#)
5. [10A NCAC 26D .1204, *Protective Devices*](#)
6. [10A NCAC 26D .1206, *Involuntary Referrals and Transfers*](#)

Federal Certification is not applicable to this set of proposed rules.

Economic Analysis: No fiscal note is required by N.C.G.S. §150B-21.3A(d)(2).

Public Comment Period: September 18, 2018-November 16, 2018. Written comments or objections to the proposed rules must be submitted electronically to dmhddsasrules@dhhs.nc.gov or mailed to W. Denise Baker 3004 Mail Service Center Raleigh, NC 27699-3004.

Procedure for Subjecting a Rule to Legislative Review: Any person who objects to the adoption of a permanent rule may submit written comments to dmhddsasrules@dhhs.nc.gov. If the objection is not resolved prior to adoption of the rule, a person may then submit written objections to the Rules Review Commission. If the Rules Review Commission receives written objections from 10 or more persons, clearly requesting review of the rule by the legislature, and the Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Rules Review Commission will accept written objections no later than 5:00p.m. of the day following the day the Commission approves the rule. The Rules Review Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions regarding the process for submitting written objections to the Rules Review Commission, please contact a Rules Review Staff Attorney at 919-431-3000.