



CHAPTER 131E
ARTICLE 6 - HEALTH CARE FACILITY LICENSURE ACT

N.C.G.S. § 131E-140.

Rules and enforcement.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2023-150, s. 1(a) — seventh act in the lineage	RETRIEVED 21 September 2026, 04:50 UTC	SOURCE FINGERPRINT 4322f95efde6cc69eb69909d - 5149b91ebf8c8f6a05986c39 - e90058dd05ec3cf7
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- § 131E-140(a) The Commission may adopt, amend and repeal all rules necessary for the implementation of this Part and Part 3A of Article 6 of this Chapter. Provided, these rules shall not extend, modify, or limit the licensing of individual health professionals by their respective licensing boards; nor shall these rules in any way be construed to extend the appropriate scope of practice of any individual health care provider. Rules authorized under this section include rules:
- (1) That recognize the different types of home care services and home assistance services providers and shall adopt specific requirements for the provision of each type of home care service.
 - (2) To establish staff qualifications, including professional requirements for home care agency staff. The rules may require that one or more staff of an agency be either licensed or certified. The rules may establish minimum training and education qualifications for staff and may include the recognition of professional certification boards for those professions not licensed or certified under other provisions of the North Carolina General Statutes provided that the professional board evaluates applicants on a basis that protects the public health, safety, or welfare.
 - (3) For the purpose of ensuring effective supervision of in-home aide staff and timely provision of services, the Commission shall adopt rules defining geographic service areas for in-home aide services and staffing qualifications for licensed home care agencies.

- (4) Prohibiting licensed home care agencies or home assistance services providers from hiring individuals listed on the Health Care Personnel Registry in accordance with G.S. 131E-256(a)(1).
- (5) Requiring applicants for home care licensure to receive training in the requirements for licensure, the licensure process, and the rules pertaining to the operation of a home care agency.

§ 131E-140(a1)

The Commission shall adopt rules defining the scope of permissible advertising and promotional practice by home care agencies and home assistance services providers.

§ 131E-140(b)

The Department shall enforce the rules adopted or amended by the Commission with respect to home care agencies and home assistance services providers and shall conduct an inspection of each home care agency at least every three years.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
7 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1971

1997

2023

TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT

Nº	YEAR	ACT	CHARACTER
01	1971	c. 539, s. 1	ENACTED
02	1973	c. 476, s. 128	AMENDED
03	1983	c. 775, s. 1	AMENDED
04	1991	c. 59, s. 1	AMENDED
05	1991	c. 761, s. 34	AMENDED
06	2005	S.L. 2005-276, ss. 10.40A(a), (o)	AMENDED
07	2023	S.L. 2023-150, s. 1(a)	AMENDED

APPARATUS II
1 AUTHORITY

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 131E-256(a)(1)	(a)(4)	"Care Personnel Registry in accordance with"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 131E-140 (2023).

PINPOINT

N.C. Gen. Stat. § 131E-140(a) (2023).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1971, c. 539, s. 1; 1973, c. 476, s. 128; 1983, c. 775, s. 1; 1991, c. 59, s. 1; c. 761, s. 34; 2005-276, ss. 10.40A(a), (o); 2023-150, s. 1(a).)

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