



CHAPTER 131E
ARTICLE 5 - HOSPITAL LICENSURE ACT

N.C.G.S. § 131E-78.

Adverse action on a license.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2007-444, s. 1 — seventh act in the lineage	RETRIEVED 21 September 2026, 05:52 UTC	SOURCE FINGERPRINT 5be1d32c6230d6c38469be02 - 03bcccac893400adc263e563 - 14173a11794781de
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§ 131E-78(a) The Department shall have the authority to deny, suspend, revoke, annul, withdraw, recall, cancel, or amend a license in any case when it finds a substantial failure to comply with the provisions of this Part or any rule promulgated under this Part.

§ 131E-78(b) Repealed by Session Laws 2007-444, s. 1, effective August 23, 2007.

§ 131E-78(b1) The Secretary may suspend the admission of any new patients to specific areas of a hospital or suspend specific services of a hospital licensed under this Article where the conditions of the hospital constitute a substantial failure to comply with the provisions of this Part or any rule adopted under this Part and are dangerous to the health or safety of the patients. When the Secretary suspends admissions or specific services, the suspension shall be limited to the smallest possible components of the hospital. The Department shall provide consultation to assist the hospital in correcting the conditions that led to the suspension in order that the suspension can be lifted at the earliest possible time after the Secretary is satisfied that conditions or circumstances merit removal of the suspension. In determining whether to suspend admissions or services under this subsection, the Secretary shall consider the following factors:

- (1) The character and degree of impact of the conditions at the hospital on the health and safety of its patients.
- (2) The character and degree of impact that the proposed suspension of admissions or services would have on the functionality of the hospital and the availability of services necessary to the community or to current patients of the hospital.

(3) Whether all other reasonable means for correcting the problem have been exhausted and no less restrictive alternative to suspension of admissions or service exists.

§ 131E-78(c) Repealed by Session Laws 2007-444, s. 1, effective August 23, 2007.

§ 131E-78(c1) A hospital may contest any adverse action on its license under this section in accordance with Chapter 150B of the General Statutes.

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.

1947		1977		2007
TICK HEIGHT = ACTS IN THAT YEAR		DASHED = RECODIFICATION, NOT AMENDMENT		
Nº	YEAR	ACT	CHARACTER	
01	1947	c. 933, s. 6	ENACTED	
02	1973	c. 476, s. 152	AMENDED	
03	1973	c. 1090, s. 1	AMENDED	
04	1981	c. 614, ss. 16, 17	AMENDED	
05	1983	c. 775, s. 1	AMENDED	
06	1987	c. 827, s. 1	AMENDED	
07	2007	S.L. 2007-444, s. 1	AMENDED	

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 131E-78 (2007).

PINPOINT

N.C. Gen. Stat. § 131E-78(a) (2007).

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

(1947, c. 933, s. 6; 1973, c. 476, s. 152; c. 1090, s. 1; 1981, c. 614, ss. 16, 17; 1983, c. 775, s. 1; 1987, c. 827, s. 1; 2007-444, s. 1.)

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