

Fiscal Note for Readoption of 15 NCAC 18A .1301-.1327

Agency: North Carolina Commission for Public Health
Department of Health and Human Services
Division of Public Health
Environmental Health Section
Food Protection and Facilities Branch

Rule Citations: 15 NCAC 18A .1301 Definitions
15 NCAC 18A .1302 Approval of Plans
15 NCAC 18A .1304 Inspections
15 NCAC 18A .1305 Grading Residential Care Facilities in
Institutions
15 NCAC 18A .1306 Public Display of Grade Card
15 NCAC 18A .1307 Reinspections
15 NCAC 18A .1308 Scoring System
15 NCAC 18A .1309 Floors
15 NCAC 18A .1310 Walls and Ceilings
15 NCAC 18A .1311 Lighting and Ventilation
15 NCAC 18A .1312 Toilet: Handwashing: and Bathing Facilities
15 NCAC 18A .1313 Water Supply
15 NCAC 18A .1314 Drinking Water Facilities: Ice Handling
15 NCAC 18A .1315 Liquid Wastes
15 NCAC 18A .1316 Solid Wastes: Premises: Medical Wastes
15 NCAC 18A .1317 Pest Control: Pesticides
15 NCAC 18A .1318 Medical Supplies
15 NCAC 18A .1319 Furnishings and Laundry
15 NCAC 18A .1320 Activity Kitchens, Rehabilitation Kitchens, and
Nourishment Stations
15 NCAC 18A. 1321 Food Supplies
15 NCAC 18A .1323 Food Protection in Activity Kitchens,
Rehabilitation Kitchens, and Nourishment
Stations
15 NCAC 18A .1324 Employees
15 NCAC 18A .1327 Incorporated Rules

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Rulemaking Authority: G.S. 130A-235

Impact Summary: State Government: Yes

Local Government:	Yes
Private Sector:	Yes
Substantial Impact:	No

Introduction and Purpose

The North Carolina Department of Health and Human Services (DHHS), Division of Public Health, Environmental Health Section, Food Protection and Facilities Branch (FPFB) is responsible for the administration and enforcement of sanitation requirements in institutions, which include hospitals, nursing homes, adult care homes, residential child care facilities, and other establishments that provide room and board and that are issued a license or certificate by DHHS. These requirements are set forth in the Rules at 15A NCAC 18A .1300, all of which are proposed for readoption in accordance with G.S. 150B-21.3A. As part of the readoption process, we are also proposing to amend the rules to clarify existing language and, where applicable, align the rules with current practices. The proposed changes to the rules were made following consultation with industry stakeholders and staff in the DHHS, Division of Health Service Regulation (“DHSR”), which is the agency that licenses the institutions that are subject to sanitation inspections under these rules.

Description of Proposed Rules

A brief description of each rule has been provided below. The text of proposed rules has been included in the appendix.

15 NCAC 18A .1301, “Definitions”

The terms “activity kitchen,” “administrator,” “bed linens,” “clean,” “Department,” “good repair,” “hand hygiene program,” “licensing agency,” “linens,” “local health department,” “non-community water supply,” “nourishment station,” “regulatory authority,” “rehabilitation kitchen,” “resident,” and “solid waste” are used throughout the existing rules, but had not previously been defined in this rule. These terms have been added to this definitions rule for the purpose of clarifying existing language. These changes are not expected to result in an economic impact.

The existing definitions for the terms “disinfect,” “institution,” and “sanitize” have been changed to clarify existing rule requirements, updated outdated terminology, and reflect current practices. The definition for “disinfect” is amended to clarify that only EPA registered disinfectants should be used during the disinfection process and must be used in accordance with the manufacturer’s label. “Institution” has been amended, in consultation with DHSR, to remove outdated terminology, including “sanitarium,” “sanitorium,” and “orphanages,” and add updated language that better describes the establishments that operate as institutions. “Sanitize” has been revised because the rule previously cited in the definition, 15A NCAC 18A .2619, has been repealed. The definition has been updated to include the correct citation. These changes are not expected to result in an economic impact.

The term “Environmental Health Specialist” was removed because it has been replaced with “Registered Environmental Health Specialist or ‘REHS,’” which is the term currently used by state and local government and industry. The term “Department of Environment and Natural Resources” was removed because it has been replaced by the term “Department,” which now correctly refers to the North Carolina Department of Health and Human Services. The terms “local health director,” “patient,” “person,” “personal hygiene,” “potentially hazardous food,” and “soiled utility room” were removed from this rule because it is no longer necessary to define them.

There are also nine new terms in Rule .1301. These terms have been introduced and used throughout the amended rules and are defined here for clarity. The addition of these new terms and definitions is not expected to result in an economic impact.

“Ancillary kitchen” is defined as a kitchen that it is used by the employees of an institution to prepare meals and support the dietary kitchen, which is the main kitchen in an institution. “Dietary kitchen” is defined as the primary kitchen used by the institution to provide meals and other nutrition services to the institution’s residents, employees, and guests. Both of these types of kitchens are regulated under the existing rules but are now being identified by name in the rules to provide further clarity to the regulated public. Throughout these rules, “dietary kitchen” has been substituted for the term “food services.”

“EPA registered disinfectant” is a disinfectant as defined at 40 C.F.R. 158.2203 that has been registered with the United States Environmental Protection Agency (EPA) in accordance with 40 C.F.R. 152. This term is new to the rules, but replaces an existing and outdated term, “EPA registered hospital disinfectant.” “Garbage” is a new term and is defined at G.S. 130A-290(7). This term is added to help further clarify the definition of “clean,” which requires that objects and surfaces be free from garbage. “Pest” is a new term in this Definitions rule and is defined at G.S. 143-460(26a). This is a comprehensive term that is being used to replace existing rule language that referenced a variety of pests, such as vermin, bugs, and insects. “Refuse” is a new term in this Definitions rule and is defined at G.S. 130A-290(28). This term is added to clarify updated rule language regarding the cleanliness of an institution’s exterior premises.

“Registered Environmental Health Specialist” or “REHS” is a new term in this Definitions rule and means as defined at G.S. 90-51(4). REHSs who are made authorized agents are responsible for administering and enforcing these rules on behalf of the Department. “Time/Temperature Control for Safety (TCS) Food” or “TCS Food” is a new term in this Definitions rule and replaces an older term, “Potentially hazardous food.” The definition for “Potentially hazardous food” that is included in the existing rules was taken from the North Carolina Food Code, which is codified at 15A NCAC 18A .2600. The definition of TCS Food, under the updated rules, similarly cites to the North Carolina Food Code at 15A NCAC 18A .2600. “Yard trash” is a new term and is defined at G.S. 130A-290(45). This term is added to clarify existing rule language regarding the cleanliness of an institution’s exterior premises.

15A NCAC 18A .1302, “Approval of Plans”

This rule governs with the approval of construction plans for an institution. The changes to this rule serve to clarify the existing submission and approval processes for construction plans. These changes are not expected to result in an economic impact.

15 NCAC 18A .1304, “Inspections”

This rule lays out the process for sanitation inspections in institutions. Paragraph (a) has been amended to clarify that the inspections described in the rule are carried out by the local health department that serves the county in which the institution is located. The term “dietary kitchen” has also been added to this Paragraph. “Dietary kitchen” has the same meaning as the older term that it replaces in Paragraph (a), which is “food services.” Finally, cross citations to a statute and rule that currently govern the frequency of inspections for certain institutions have been added for clarity. These changes are not expected to result in an economic impact.

In Paragraph (b), there are a few small additions to the documentation requirements for the Registered Environmental Health Specialist (REHS). However, it is expected that these new items will take minimal time to complete. These changes are not expected to result in an economic impact.

In Paragraph (c) has been revised to clarify which portions of an institutions, using newly defined terms, are subject to inspections conducted pursuant to the rules at 15A NCAC 18A .2600. Operationally, this is not expected to be a change from the current rule nor is it expected to result in an economic impact.

15 NCAC 18A .1305, “Grading Residential Care Facilities in Institutions”

This rule describes how grading during sanitation inspections shall be conducted when institutions are located in the same buildings as residential care facilities. The rule language has been amended to clarify the existing requirement that residential care facilities be inspected under a separate set of rules at 15A NCAC 18A .1600. These changes are not expected to result in an economic impact.

15 NCAC 18A .1306, “Public Display of Grade Card”

This rule establishes the requirements for display of an institution’s sanitation grade card. In Paragraph (a), existing language has been revised for clarity. Language has also been added to clarify the specifications for printed grade cards. This change is not expected to result in an economic impact, as the regulatory authority provides these grade cards in a format that meets the requirements of the rule. Changes in Paragraph (b) reflect reorganization of the rule language. These change are not expected to result in an economic impact.

15 NCAC 18A .1307, “Reinspections”

This rule describes the procedures for reinspection of an institution. The changes made to the rule clarify the process for requesting a reinspection and issuance of a new grade card following a reinspection. These changes are not expected to result in an economic impact.

15 NCAC 18A .1308, “Scoring System”

This rule describes the grading of institutions based on sanitation inspections. Paragraph (a) has been reorganized to reflect current rule formatting requirements and clarify existing language. A new Paragraph (b) has been created to better organize the content of the rule and clarify existing language, including replacing the outdated term “food service” with “dietary kitchen.” These changes are not expected to result in an economic impact.

The violations listed in Paragraph (c) have been reorganized and revised to reflect reorganization and revisions of other rules in this Section. In some instances, points have also been reallocated so that certain violations are worth different point values that can be deducted from an institution’s total sanitation score. A new violation, regarding the requirement in Rule .1324 to have cleaning kits and written procedures for responding to diarrheal and vomiting events, has also been added. These changes may result in an economic impact and are discussed further in the Impact Analysis section of this fiscal note.

15 NCAC 18A .1309, “Floors”

This rule describes the requirements for floors in an institution. The rule has been reorganized and revised to clarify existing language. The old Paragraph (b) was also struck, which included a requirement that sloped floors with drains be used in certain areas that are cleaned by being flooded with water. We are not aware of any institutions that continue to use this method of cleaning and therefore do not expect that this change will result in an impact.

15 NCAC 18A .1310, “Walls and Ceilings”

This rule describes the requirements for doors, walls, window trim, and ceilings in institutions. The qualifier “interior” has been added to clarify that the requirements of Paragraph (a) apply only to interior, and not exterior, walls. Paragraph (b) has been added to address fans and lighting fixtures, which are affixed to ceilings and have historically been understood to be subject to the requirement that ceilings be kept clean. These changes are not expected to result in an economic impact.

15 NCAC 18A .1311, “Lighting and Ventilation”

This rule describes the requirements for lighting and ventilation in institutions. Paragraph (a) is revised to clarify that existing lighting requirements apply only to interior areas within an institution. The reference to food service areas, which are inspected under a different set of rules, has been struck to avoid redundancy. Paragraph (c) is revised to clarify that only indoor air temperatures must be maintained within a certain temperature range. Paragraph (d), which dealt with moisture, was removed because modern air conditioning systems will ensure that moisture levels are controlled and the requirements in this paragraph are no longer necessary. Paragraph (e), which dealt with smoking, was removed because indoor smoking is now addressed in North Carolina statute. These changes are not expected to result in an economic impact.

15 NCAC 18A .1312, “Toilet: Handwashing: and Bathing Facilities”

This rule describes the general requirements for toilet, handwashing, and bathing facilities. Paragraphs (a) and (b) have been revised to clarify existing language and avoid the repetition of requirements in multiple parts of these rules. The handwashing sign requirements in Paragraph (b) have also been updated to align with existing handwashing requirements in Rule .1324. Paragraph (c) has been amended to clarify existing requirements for the use of disposable toileting supplies and to remove references to non-disposable bedpans, which to our knowledge are no longer used, and soiled utility rooms, which to our knowledge are no longer built and used in institutions. Paragraph (d) has been updated to include cross references to the rules where existing requirements for the location of handwashing facilities are established. Paragraph (d) has also been revised to clarify existing requirements regarding the use of hand hygiene programs, features of handwashing facilities, and the use of handwashing facilities to clean and dispose of certain items. In Paragraph (e), existing language about water temperatures has been struck because the requirement already appears elsewhere and new language has been added to clarify existing requirements regarding the use of disinfectants. Paragraph (f) has been revised to clarify existing language and strike requirements that are already presented elsewhere in the rules to avoid redundancy. These changes are not expected to result in an economic impact.

15 NCAC 18A .1313, “Water Supply”

This rule describes the requirements for an institution’s water supply. Paragraph (a) is revised to clarify existing language. Paragraph (b) in the existing rule was struck because it repeated requirements for non-community water supplies that are established in rule by the North Carolina Department of Environmental Quality. For the purpose of clarification, “Department” and “Division of Laboratory Services” have been changed to the “North Carolina Laboratory of Public Health” in the new Paragraph (b) and cross citations have been added to Paragraph (c). Paragraph (d) has been revised to clarify existing language and explain that hot water means water provided at temperatures between 105 and 116 degrees Fahrenheit, which is standard. These changes are not expected to result in an economic impact.

Paragraph (e), which requires the institution administrator to notify the local health department when the institution’s water supply is disrupted for more than four consecutive hours, has been amended to also require that notice be given to the licensing agency. We anticipate that satisfying this new part of the notice requirement will take minimal time for institution administrators. Paragraph (e) has also been amended to clarify existing requirements, which is not expected to result in an economic impact.

15 NCAC 18A .1314, “Drinking Water Facilities: Ice Handling”

This rule describes requirements for drinking fountains and multi-use utensils designed to serve water and ice. The changes serve to better organize the rule content and clarify existing requirements. These changes are not expected to result in an economic impact.

15 NCAC 18A .1315, “Liquid Wastes”

This rule describes requirements for sewage disposal and mop basins or mop sinks. The changes in Paragraph (a) clarify existing language and remove a reference to the rules at 15A NCAC 02H .0200, which have been repealed. The new Paragraph (b) is comprised of language that was moved out of Rule .1318 and added here because it aligned better with the content of this rule, which is liquid waste. These changes are not expected to result in an economic impact.

15 NCAC 18A .1316, “Solid Wastes: Premises: Medical Wastes”

This rule describes the requirements for solid waste and medical waste. Paragraphs (a)-(c) and (e) have been revised for clarity. Additionally, Paragraph (a) has been revised to remove a reference to special vermin proofed rooms, which to our knowledge are not currently used by any institutions. Paragraph (d) has been revised to more clearly identify the actions that should be taken to meet the existing requirement to avoid conditions that attract pests. These changes are not expected to result in an economic impact.

15 NCAC 18A .1317, “Pest Control: Pesticides”

This rule describes pest control and pesticide use, as well as requirements for animals that live on an institution’s premises. Paragraph (a) has been revised to clarify existing requirements for preventing pests from entering an institution’s buildings. Paragraph (b) has been revised for clarity by citing to the North Carolina statutes and federal regulations that govern pesticide approval and use. Additional changes have been made to clarify existing language in Paragraphs (a) and (b). These changes are not expected to result in an economic impact.

Paragraphs (c)-(d) were removed because these requirements are now addressed in Rule .1316(d), which sets out standards for the cleanliness of an institution’s premises. Paragraph (f) was removed because the current availability of electronic vet records and easier access to those records makes it unnecessary for institutions to keep paper copies on-site. These changes are not expected to result in an economic impact.

15 NCAC 18A .1318, “Medical Supplies”

This rule describes the requirements for medication carts and feeding supplies. The old Paragraph (a), which addressed storage, is removed because it is no longer needed. The old Paragraph (b) was struck from this rule and moved to Rule .1315(b). In the new Paragraph (a), language was revised to clarify existing requirements. These changes are not expected to result in an economic impact.

In the new Paragraph (b), the requirements for the use of feeding supplies, including feeding bags, tubes, syringes, and oral suction catheters, have been revised to align with manufacturer’s instructions. This is not expected to result in an economic impact, as institution staff should already be using these feeding supplies in accordance with the manufacturer’s instructions.

15 NCAC 18A .1319, “Furnishings and Laundry”

This rule describes requirements for the condition of furnishings, methods for washing laundry, and the cleaning of mobility equipment. Paragraph (a) has been revised to clarify requirements for furnishings in institutions. Paragraph (b) is amended to clarify existing requirements for the condition, changing, and storage of linens. A new Paragraph (c) has been added to reorganize the list of options for laundering in a way that is easier for the regulated public to understand but does not add any new requirements. Paragraph (d) has been revised to expound upon the existing requirement that residents’ laundry, when washed together, be washed in a manner that prevents cross-contamination of residents’ clothes and linens. Paragraphs (e) and (f) have been revised to clarify existing requirements that laundry areas be kept clean, and that mobility equipment be kept clean and be sanitized in between uses by different residents. In Paragraph (f), the references to shared toys are removed because shared toys are no longer commonly used in institutions. These changes to the rule are not expected to result in an economic impact.

15 NCAC 18A .1320, “Activity Kitchens, Rehabilitation Kitchens, and Nourishment Stations”

This rule describes the requirements for food service equipment, sinks, and food preparation areas in activity kitchens, rehabilitation kitchens, and nourishment stations. To avoid redundancy, Paragraph (a) has been revised to remove the reference to areas of an institution that are subject to inspections under the rules at 15A NCAC 18A .2600. Paragraph (a) has also been updated to clarify that institutions may use domestic food service equipment in activity kitchens, rehabilitation kitchens, and nourishment stations. Domestic food service equipment is a type of kitchen equipment, such as an oven or refrigerator, that can be purchased at major retail stores for residential use. We do not expect that the addition of this language will result in an impact, as many institutions are already using domestic equipment in activity kitchens, rehabilitation kitchens, and nourishment stations; however, clarifying that this option is available to institutions will help reduce confusion for the regulated public. These changes are not expected to result in an economic impact.

Paragraph (b) was revised and reorganized to clarify the existing requirements and reflect current rule formatting requirements. Paragraphs (c) and (d) have been revised for clarity and language in both paragraphs that repeated requirements established elsewhere in the rules was struck. These changes are not expected to result in an economic impact.

15 NCAC 18A .1321, “Food Supplies”

This rule describes the requirements for food and food supplies provided by the institution as well as food brought into institutions by employees or residents’ visitors. Paragraph (a) has been revised to clarify the existing reference to 15A NCAC 18A .2600. The existing rule language also requires that food and food supplies be kept clean, free from spoilage, free from adulteration, and safe for human consumption, which has been struck, since it is duplicative of requirements that are set forth in 15A NCAC 18A .2600. Paragraph (b) has been revised to clarify existing requirements regarding the storage and labeling of outside food brought into an institution. These changes are not expected to result in an economic impact.

15 NCAC 18A .1323, “Food Protection in Activity Kitchens, Rehabilitation Kitchens, and Nourishment Stations”

This rule describes requirements for food protection in activity kitchens, rehabilitation kitchens, and nourishment statements. Paragraph (a) was modified to use the term “TCS foods,” which is the term currently used by the industry in place of the older phrase “potentially hazardous foods.” Paragraph (a) was also revised to require that TCS foods be maintained in accordance with 15A NCAC 18A .2600. This reference to the requirements set forth in 15A NCAC 18A .2600 may result in an economic impact to the private sector and is further described in the Impact Analysis section of this fiscal note.

Paragraph (b) was revised to clarify existing language and to specify that thermometers be accurate to ± 3 degrees Fahrenheit or ± 1.5 degrees Celsius. We do not expect that this will result in an economic impact, as most thermometers should already be calibrated to have this level of sensitivity and accuracy.

Paragraph (c) has been revised to clarify existing requirements regarding the safe storage of food.

Paragraph (d) has been revised to clarify existing requirements for live animals in food preparation and dining areas. Paragraph (e) has been added to ensure that the regulated public is aware that the requirements in Paragraph (d) do not apply to service animals, whose access to these spaces are governed by separate state and federal laws. These changes are not expected to result in an economic impact.

15 NCAC 18A .1324, “Employees”

This rule describes requirements for employee dress, hand washing, and exclusion from work due to illness, and also establishes a new requirement for cleaning kits and written procedures for responding to vomiting and diarrheal events. Paragraph (a) has been revised to clarify existing requirements pertaining to handwashing before work, handwashing after using the toilet, handwashing before contact with residents or before feeding them, washing hands after sneezing in handkerchiefs, and washing hands after

using disposable gloves. The requirement that employees not use tobacco products while engaged in certain work activities has been removed, as the use of tobacco in these spaces is now governed by separate North Carolina law.

Paragraph (b) establishes a handwashing method and has been revised to reference the methodology set forth in 15A NCAC 18A .2600, which is aligned with the language that was struck from the rule that required rubbing hands vigorously for 10 seconds, using soap, and rinsing hands with water. This change is therefore not expected to result in an economic impact. Paragraph (b) also includes revisions made to clarify existing requirements pertaining to the use of hands antiseptics and detergent containing towelettes to decontaminate hands. These changes are not expected to result in an economic impact.

Paragraph (c) has been amended to reference the requirements for staying out of work due to illness that are set forth in 15A NCAC 18A .2600. This change was made to reflect the most current science and best practices for preventing disease transmission. The existing rule language prohibits an employee who has a communicable or infectious disease, a boil, an infected wound, or an acute respiratory infection with cough or nasal discharge from working in an institution in a capacity where there is a likelihood of contaminating food or food contact surfaces and transmitting a disease or illness to others. In contrast, the requirements under the revised rule will allow for employees to be excluded from work or to continue working subject to certain restrictions that help prevent disease transmission, such as wearing an impermeable bandage over an infected wound or being symptom-free for a certain number of days. This change is expected to result in an economic impact and is discussed further in the Impact Analysis section of this fiscal note.

Finally, Paragraph (d) is added to include a requirement that cleaning supplies for vomiting or diarrheal events be kept on-site and that written procedures for responding to vomiting or diarrheal events be developed. This change is expected to result in an impact and is further discussed in the Impact Analysis section of this fiscal note.

15 NCAC 18A .1327, “Incorporated Rules”

This rule adopts by reference the sets of rules that are referenced throughout this Section. This rule was revised for clarity. The reference to the rules that govern Grade A milk was struck, as the North Carolina Department of Agriculture’s requirements for milk quality now apply to all milk products that are intended for human consumption, which makes incorporation of those requirements unnecessary here. These changes are not expected to result in an economic impact.

Impact Analysis

State Government Impact

The impact on state government is expected to consist solely of costs associated with providing training on the updated rules to registered environmental health specialists (REHSs) at local health departments. Under G.S. 130A-4, REHSs employed by local health departments (“local REHSs”) are delegated authority to operate as authorized agents of the NC Department of Health and Human Services in administering and enforcing certain environmental health laws. One area in which local REHSs carry out this work is conducting sanitation inspections of institutions in accordance with these rules. Training for these local REHSs will be conducted by REHSs who are employed by the Division of Public Health (“state REHSs”). The state REHSs provide oversight, technical assistance, and training on a regular basis to the local REHSs at regional and district education meetings. Following the readoption of these rules, state REHS staff will develop and provide training on the updated rules to local REHSs.

The average salary for the state REHS staff that will be involved in the development and delivery of training is \$56,452.¹ Using this figure, as well as an estimate of the value of fringe benefits, we have calculated the hourly rate of a state REHS staff member at \$37.50. The time spent by state REHSs will be an opportunity cost, as the State does not intend to hire any additional staff to help do this work.

Table 1: Average Hourly Pay Rate for State REHS

Salary and Fringe Benefits²		
Salary/Benefit	% of Salary	Total Value
Salary	100	\$56,452
FICA	7.65	\$4,318.58
Retirement, Death, and Disability Benefit	19.70	\$11,121.04
Health Insurance	10.81	\$6,104
Hourly Rate Calculation		
Total Salary + Fringe	Hours Worked / Year	Hourly REHS Rate
\$77,995.62	2080	\$37.50

The regional and district education meetings where state REHSs will present the training are regularly scheduled events and will not be convened solely for the purpose of providing training on the updated rules. Based on our familiarity with the subject matter and experience with similar trainings, we expect that one state REHS will spend approximately 10 hours total (a one-time effort) developing training materials on the updated rules. Additionally, given the small number of substantial changes to these rules, we anticipate that each local REHS will need just 2 hours of training on the updated rules to become proficient in their administration. The training will be delivered by state REHSs who are each assigned to one of three regions in North Carolina and who will each deliver the training once, amounting to a total of 6 hours of state staff time. The trainings are expected to be held virtually and will therefore not require travel or overnight accommodations. The state will not take in any new fees as a result of changes to the rules.

Table 2: Impact on State Government (Opportunity Costs)

State REHS Staff Time Spent on Training Development (one time)		
Number of Hours to Complete	REHS Hourly Rate	Cost to State Government
10	\$37.50	\$375.00
State REHS Staff Time Spent Delivering Training		

¹ This value was provided by the Division of Public Health, Environmental Health Section and was calculated using information available as of April 2, 2020.

² The benefits listed were identified using the North Carolina Office of State Human Resources "Total Compensation Calculator," which is available at <https://oshr.nc.gov/state-employee-resources/classification-compensation/total-compensation-calculator>.

Number of Hours to Complete	REHS Hourly Rate	Cost to State Government
6 (2 hrs. x 3 meetings)	\$37.50	\$225.00
TOTAL STATE GOVERNMENT IMPACT.....\$600.00		

Local Government Impact

Local health departments will be responsible for ensuring that their REHS staff receive training on the updated rules by attending the trainings offered by the state REHSs. The average salary for a local REHS in North Carolina is \$48,057.³ Using this figure, as well as an estimate of the value of fringe benefits, we have calculated the hourly rate of a local REHS at \$31.81. We anticipate that the time spent by local REHS staff to attend training will likely be an opportunity cost, as we do not expect that local health departments will hire additional staff to help do this work.

Table 3: Average Hourly Pay Rate for Local REHS		
Salary and Fringe Benefits⁴		
Salary/Benefit	% of Salary	Total Value
Salary	100	\$48,057.00
All Benefits	37.7	\$18,117.49
Hourly Rate Calculation		
Total Salary + Fringe	Hours Worked / Year	Hourly REHS Rate
\$66,174.49	2080	\$31.81

As noted in the previous section, we anticipate that one training on the updated rules will last 2 hours. By attending the trainings, local REHS staff will receive continuing education credits toward their yearly requirement for REHS credentialing. The North Carolina Board of REHSs requires local health department environmental health staff members to maintain a minimum number of continuing education training hours per year to maintain their status as REHSs. The trainings are expected to be approved by the Board and will count toward local REHS staffs' educational requirements. Mileage is not included as a cost because travel is expected to be unnecessary, as trainings will be held virtually. Similarly, costs for printed materials are not included because the new rules will be made available online at no cost. There are approximately 800

³ The average REHS salary was estimated using the UNC School of Government's County Salary Survey, for which 2019 data is the most recently available information, and which is available at: <https://lgwi.web.unc.edu/salarydash>.

⁴ The value of benefits was identified using the U.S. Bureau of Labor Statistics' latest available figures from December 2019 on employer costs for employee compensation for state and local government workers, which is available at: <https://www.bls.gov/news.release/ecec.t03.htm>.

REHSs employed by North Carolina’s 85 local health departments, each of whom will need to receive the 2 hours of training.

As demonstrated by our calculations in Table 4 below, the total cost for this one-time training to local REHS staff will amount to a total cost of \$50,896.00 to local government. We expect that these costs will be opportunity costs, as participating in training is a regular part of local REHS staff responsibilities and it is unlikely that local health departments will hire additional staff to do this work. It is challenging to know how this total cost to local government will translate to costs for each of North Carolina’s 85 local health departments, which employ varying numbers of REHS staff.

Training for Local REHSs			
Number of Hours to Complete Training	REHS Hourly Rate	Number of REHS to Receive Training	Cost to Local Government
2	\$31.81	800	\$50,896.00
TOTAL LOCAL GOVERNMENT IMPACT			\$50,896.00

Private Sector Impact

The revised rules are expected to result in an impact to the private sector in four areas: potential impacts resulting from changes to Rule .1308, which governs the scoring of institutions during sanitation inspections; changes to Rule .1323(a) that align requirements for temperature holding for certain foods with the standards set forth in the North Carolina Food Code; changes to Rule .1324(c) that allow greater flexibility in exclusion or restriction of an employee to prevent disease transmission; and costs associated with complying with a new requirement in Rule .1324(d) regarding cleaning supplies and written procedures for responding to vomiting and diarrheal events.

Sanitation Inspection Scoring and Changes to Violation Point Values

Rule .1308 governs the scoring method that is used during institutions’ sanitation inspections. Institutions can earn a score of up to 100 and violations of the rules in 15A NCAC 18A .1300 result in the deduction of varying amounts of points. All of the rules in this package have been revised to clarify existing language and better reflect current practices, which in some circumstances also resulted in a reorganization of the paragraphs and subparagraphs within the rules themselves. Many of the revisions to Rule .1308(c) were made to align the violations with the updated structure of the rules. Therefore, although some points may be allocated in a slightly different way, the majority of changes to Rule .1308(c) do not represent new violations. The exception is the new violation described in Rule .1308(c)(52), for which up to two points can be deducted for failure to meet the new requirement in Rule .1324(d) regarding cleaning supplies and written procedures for responding to vomiting or diarrheal events.

Where point values assigned to other rule violations were changed, no point value increased or decreased by more than three points and no single violation is worth more than four points. These changes in Rule

.1308(c) will impact the way that institutions are scored for their sanitation inspections, but it is challenging to quantify that impact given the numerous factors that could inform the number of points that might be deducted for each of the 52 potential violations set forth in Rule .1308(c).

Aligning Food Temperature Holding Requirements with the North Carolina Food Code

Rule .1323(a) governs the methods for ensuring that “time and temperature control for safety” foods, or “TCS” foods, are safe to consume. Under the existing rule, the TCS foods are referred to as “perishable foods.” The change in terminology reflects current industry and regulatory practices and norms. Pursuant to the existing rule, TCS foods must be held below 45 degrees Fahrenheit (for cold items) or above 140 degrees Fahrenheit (for hot foods) and both hot and cold TCS foods can only be kept outside those temperature ranges for two hours before needing to be discarded. The proposed amended language of the Rule now requires that all TCS foods be maintained at temperatures as set forth in 15A NCAC 18A .2600, which are the rules that make up the North Carolina Food Code (NC Food Code). The rules at 15A NCAC 18A .2600 also adopt by reference the 2017 United States Food and Drug Administration Food Code and Supplement (FDA Food Code).

This revision to the rule will result in two key changes: First, hot TCS foods will only need to be kept at 135 degrees Fahrenheit under the NC Food Code (a five degree change). Second, cold TCS foods that previously could only be kept above 45 degree Fahrenheit for two hours before being discarded may now be kept above 41 degrees Fahrenheit for up to four hours before the food items must be thrown away. These changes reflect the most recent science on food safety and will bring this rule into alignment with national standards. Methods for safe handling of TCS foods are used on a daily basis by institution staff in the preparation and serving of meals, so we anticipate that one impact to institutions will be the need to spend time training staff on these new temperature holding requirements. It is challenging to know how much time will be dedicated to this type of training and which staff will be involved, but we would expect this impact to be an opportunity cost, as we think that institutions are unlikely to hire new staff for this work. Additionally, the ability to safely hold cold food at a temperature above 41 degrees Fahrenheit for four hours instead of two may result in impacts related to the reduction of food waste, as cold hold food items will not have to be thrown away as quickly.

Restricting or Excluding Employees from Work to Prevent Disease Transmission

Rule .1324(c) has been amended by striking existing requirements for excluding institution employees from work due to illness and aligning the requirements with the rules in 15A NCAC 18A .2600. As previously explained, the rules at 15A NCAC 18A .2600 (the NC Food Code) incorporate by reference the FDA Food Code. The existing rule language, which has been struck, requires employees to be excluded from work when they have a communicable disease that can be transmitted by food, a boil, an infected wound, or an acute respiratory infection with a cough or nasal discharge. The requirements set forth in the FDA Food Code similarly identify illnesses, conditions, and symptoms that may result in the transmission of disease through food or food service including: when an employee has symptoms including vomiting, sore throat with a fever, or diarrhea; when an employee is infected with Norovirus, Shigella spp., Salmonella (non-typhoidal), Shiga toxin-producing E. coli, hepatitis A, or Typhoid fever; and when an employee has an uncovered infected wound or pustular boil.

However, in contrast to the existing rule language, the FDA Food Code allows for employees to be excluded from work or permitted to return to work, subject to certain restrictions. The FDA Food Code provides a detailed framework for determining when employees with certain diseases or conditions should be excluded from work based on type of symptoms or how long an employee has been asymptomatic. Similarly, the framework establishes criteria for permitting employees to return to work

subject to restrictions that will help prevent disease transmission, such as wearing an impermeable bandage over an infected wound, being asymptomatic for a certain number of days, or producing a note from a health professional stating that the employee cannot spread the disease to others.

The revised rule language reflects the current science and best practices for preventing disease transmission in the food preparation and food service context. Under the amended rule language, the new option to allow certain employees to return to work, subject to restrictions, will avoid the unnecessary exclusion of employees, lost wages for employees who cannot work, and costs for institutions that must find other staff to work in place of ill or injured employees. It is challenging to quantify this impact but we anticipate that this change to the rule will benefit institution employees and employers while still being protective of public health and safety.

Cleaning Supplies and Written Procedures for Vomiting and Diarrheal Events

Rule .1324(d) has been amended to include a new requirement that institutions have certain cleaning supplies on-site and written procedures that direct employees on how to respond to vomiting or diarrheal events. Based on our experience and conversations with the industry, many institutions already have the required cleaning supplies on-site and have written procedures in place. For those institutions that do not, compliance with this new requirement will involve time spent writing the written procedures. It is challenging to know how much time would be required to draft the written procedures and which staff at an institution would be tasked with this work; however, we would estimate that the written procedures would require one hour of staff time to develop and would likely be an opportunity cost.

Institutions that do not already have cleaning supplies on-site for vomiting or diarrheal events will also be required to purchase the supplies, which we expect will range from \$12.00 to \$23.00 in price. These figures were reported by stakeholders in the restaurant and food establishment industry who provided feedback on a similar requirement that was added to the NC Food Code when the rules at 15A NCAC 18A .2600 were readopted in 2021 and who already had cleaning kits in their establishments. The benefit of codifying this requirement is that the risk of certain communicable diseases and conditions, such as Norovirus, will be reduced because institutions will be required to have written procedures in place and appropriate cleaning supplies on hand for responding to contamination events that could allow such illnesses to spread.

Summary

The proposed changes to the rules in 15A NCAC 18A .1300 serve to clarify existing language and update the rules to align with current practices, as well as to add new requirements for cleaning supplies and written procedures for responding to vomiting and diarrheal incidents. The changes to the rules will help ensure the continued protection of the health and safety of institution residents and employees. For state and local government, the impact of the proposed changes to the rules will arise from opportunity costs associated with training on the updated rules and are estimated to total \$600 and \$50,896, respectively. The impacts to the private sector are challenging to quantify, but are expected to arise from changes to the list of sanitation inspection violations and the points deducted per violation, which could inform an institution's final score and sanitation grade; costs associated with training staff on the change to temperature holding requirements for TCS foods, which is expected to be an opportunity cost; reduction in lost wages for employees who can return to work, subject to restrictions, rather than being excluded from work due to illness; reduction in costs for institutions that may have previously needed to find additional staff to cover for employees who were excluded from work due to illness, but who will now be permitted to return to work, subject to restrictions; cost savings due to reduced cold food waste; time spent developing written procedures for responding to vomiting and diarrheal events, which is expected to

be an opportunity cost for institutions that do not already have written procedures; and the cost of acquiring cleaning supplies, which are expected to range in price from \$12.00 to \$23.00 for institutions that do not already have cleaning supplies on-site.

Appendix 1

15A NCAC 18A .1301 is proposed for readoption with substantive changes as follows:

SECTION .1300 - SANITATION OF HOSPITALS, NURSING HOMES, ADULT CARE HOMES, AND OTHER INSTITUTIONS

15A NCAC 18A .1301 DEFINITIONS

The following definitions shall apply throughout this ~~Section in the interpretation and enforcement of this~~ Section:

- (1) “Activity kitchen” means a kitchen that is available to residents of an institution and their guests for the purpose of preparing food for individual or group activities. Nothing in this Section shall prohibit residents or employees of a residential care facility, as that term is defined at 15A NCAC 18A .1601(8), or their guests, from using an activity kitchen when an institution’s activity kitchen is in the same building where a residential care facility is located.
- (2) “Administrator” means the person designated by the licensee to be responsible for the daily operation of the institution.
- (3) “Ancillary kitchen” means a kitchen that is used by the institution’s employees for meal preparation and other work to support the dietary kitchen. Ancillary kitchens shall meet the requirements of 15A NCAC 18A .2600.
- (4) “Bed linens” means bed sheets, pillowcases, mattress covers, blankets, and duvets covers.
- (5) “Clean” means that an object or surface has been made free of garbage, solid waste, soil, dust, hair, dander, food, bodily fluids and secretions, and feces.
- (6) “Department” means the North Carolina Department of Health and Human Services.
- (7) “Dietary kitchen” means the primary kitchen in the institution that is used to provide meals and nutrition services to the institution’s residents, employees, and guests. Dietary kitchens shall meet the requirements of 15A NCAC 18A .2600.
- ~~(4)(8)~~ “Disinfect” means a non-sporicidal process used on inanimate surfaces to destroy or irreversibly inactivate ~~infectious fungi- fungi, viruses, and bacteria~~ but not necessarily their spores by using an EPA registered disinfectant in accordance with the disinfectant’s product label.
- ~~(2)~~ “Environmental Health Specialist” means a person authorized by the Department of Environment and Natural Resources under G.S. 130A-6 to enforce environmental health rules adopted by the Commission for Public Health.
- (9) “EPA registered disinfectant” means a disinfectant as defined at 40 C.F.R. 158.2203 that has been registered with the United States Environmental Protection Agency (“EPA”) in accordance with 40 C.F.R. 152.
- (10) “Garbage” means as defined at G.S. 130A-290(7).
- (11) “Good repair” means as defined at 15A NCAC 18A .2651(8). Items that are in good repair shall operate in accordance with the manufacturer’s instructions.

(12) "Hand Hygiene Program" means a written plan implemented in an institution in the absence of hand washing facilities as set forth in this Section. The licensee or the licensee's designee shall submit the hand hygiene program plan to the local health department for the county in which the institution is located, serving as the regulatory authority, for approval prior to the implementing the hand hygiene program. The regulatory authority shall notify the institution or the institution's designee in writing of the decision to approve or not to approve the hand hygiene program plan. In determining whether to approve the hand hygiene program, the regulatory authority shall consider the following:

(a) the type and frequency of activities carried out at the institution that involve employee or resident contact with bodily excretions or secretions; and

(b) the number of handwashing facilities on each wing or floor of an institution's building or buildings.

~~(3)~~(13) "Institution" includes the following establishments providing that provide room or board and for which a license or certificate of payment must be obtained from the Department: Department of Health and Human Services, other than those operated exclusively by the State of North Carolina:

(a) hospital, as defined in G.S. 131E-76 including doctors' clinics with food preparation facilities;

(b) nursing home, as defined in G.S. 131E-101;

(c) sanitarium, sanatorium, and any similar an establishment, other than hospital and nursing home, for the recuperation and treatment of 13 or more persons suffering from physical physical, behavioral, or mental health disorders; conditions;

(d) adult care home, providing custodial care on a 24 hour basis for 13 or more persons, including homes for the aged; as defined at G.S. 131D-2.1;

(e) orphanage, or children's home providing care on a 24 hour basis for 13 or more children. residential child care facility, as defined at G.S. 131D-10.2(13); and

(f) facilities that provide room and board to individuals but are exempt from licensure under G.S. 131D-10.4(1).

~~However, the~~ This term shall not include a child day care facility, facility as defined in G.S. 110-86(3), an adult day service facility as defined in 15A NCAC 18A .3300 .3300, or a residential care facility as defined in 15A NCAC 18A .1600.

~~(4) "Department of Environment and Natural Resources" shall mean the Secretary, or his authorized representative.~~

(14) "Licensing agency" means the North Carolina Department of Health and Human Services, Division of Health Service Regulation.

(15) "Linens" means bath towels, hand drying towels, and bed linens.

~~(5)~~(16) "Local health director" department" means shall mean local health director as defined in G.S. 130A-2(5). 130A-2(6) or his authorized representative.

- (17) “Non-community water supply” means a noncommunity water system as defined at G.S. 130A-313(10).
- (18) “Nourishment station” means an area where commercially packaged food that is used to provide nourishment to an institution’s residents, employees, or guests is stored.
- (19) “Pest” means as defined at G.S. 143-460(26a).
- (20) “Refuse” means as defined at G.S. 130A-290(28).
- (21) “Registered Environmental Health Specialist” or “REHS” means as defined at G.S. 90-51(4).
- (22) “Regulatory authority” means the Department or authorized agent of the Department.
- (23) “Rehabilitation kitchen” means a kitchen used solely for the purpose of providing supervised therapeutic activities to residents, including occupational or physical therapy. Food prepared in a rehabilitation kitchen shall not be consumed by anyone who is not a participant in the therapeutic activity being conducted in the rehabilitation kitchen.
- (24) “Resident” means an individual residing in or being served by the institution, including patients. This term does not include an institution’s employees or a resident’s guests.
- ~~(6) “Patient” means a patient or resident living in an institution as defined in this Section.~~
- ~~(7) “Person” shall mean an individual, firm, association, organization, partnership, business trust, corporation, or company.~~
- ~~(8) “Personal Hygiene” means maintenance of personal health, including grooming, brushing teeth, showering, applying makeup, or washing/drying face, hands, and body.~~
- ~~(9) “Potentially hazardous food” means any food or ingredient, natural or synthetic, in a form capable of supporting the growth of infectious or toxigenic microorganisms, including Clostridium botulinum. This term includes raw or heat treated foods of animal origin, raw seed sprouts, and treated foods of plant origin. The term does not include foods that have a pH level of 4.6 or below or a water activity (Aw) value of 0.85 or less.~~
- ~~(10)(25) “Sanitize” means as defined a bactericidal treatment that meets the temperature and chemical concentration levels in 15A NCAC 18A .2619, .2600~~
- ~~(11) “Soiled utility room” means a room or area with fixtures used for cleaning and disinfecting soiled patient care items.~~
- (26) “Solid waste” means as defined at G.S. 130A-290(35).
- (27) “Time/Temperature Control for Safety Food” or “TCS Food” means as defined in 15A NCAC 18A .2600.
- (28) “Yard trash” means as defined at G.S. 130A-290(45).

*History Note: Authority G.S. 130A-235;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;*

Amended Eff. March 1, 2003 (see S.L. 2002-160); August 1, 1998; February 1, 1997; September 1, 1990; March 1, 1988;
Temporary Amendment Eff. June 1, 2003;
Amended Eff. February 1, 2004.

15A NCAC 18A .1302 is proposed for reoption with substantive changes as follows:

15A NCAC 18A .1302 APPROVAL OF PLANS

~~In addition to any other licensure requirements,~~ Construction plans for an institution shall be submitted by the licensee to the local health department for the county in which the institution is located, serving as the regulatory authority, for review and approval before beginning construction. Construction plans shall be approved by the regulatory authority when the plans comply with the Rules of this Section.

History Note: Authority G.S. 130A-235;

Eff. February 1, 1976;

Readopted Eff. December 5, 1977;

Amended Eff. March 1, 2003 (see S.L. 2002-160); April 1, 1997; September 1, 1990; June 30, 1980.

15A NCAC 18A .1304 is proposed for readoption with substantive changes as follows:

15A NCAC 18A .1304 INSPECTIONS

(a) Institutions shall be ~~graded~~ inspected once ~~each in a six months~~ month period by the local health department for the county in which the institution is located, serving as the regulatory authority. ~~and food services at~~ Dietary kitchens within institutions that prepare and serve meals to 13 or more patients or residents shall be inspected ~~at least once each quarter.~~ in accordance with G.S. 130A-235(a1) or 10A NCAC 46 .0213, as applicable.

(b) The grading inspection of institutions shall be ~~done~~ documented on inspection forms furnished by the Department to local health departments. The form shall include the following information:

- (1) the name and address of the ~~facility;~~ institution;
- (2) the name of the ~~person in charge of the facility;~~ licensee;
- (3) ~~the standards of a description of the institution's~~ construction and operation standards as ~~listed~~ described in Rules .1309 - .1324 of this Section;
- (4) an explanation for all points deducted during the inspection and scoring;
- ~~(4)~~(5) the institution's operating status and the score; and
- ~~(5)~~(6) the signature of the Registered Environmental Health Specialist who conducted the inspection; authorized agent of the Department. and
- (7) the date on which the inspection was conducted.

(c) ~~Whether or not a permit is required under G.S. 130A-248, inspections of food preparation and central dining areas in institutions serving meals to 13 or more patients or residents~~ The inspection of dietary kitchens and ancillary kitchens and associated dining areas shall be documented separately using the inspection forms and grading system used for grading restaurants as specified in current "Rules Governing the Sanitation of Restaurants and Other Foodhandling Establishments" 15A NCAC 18A .2600. When grading the food preparation and central dining areas of institutional food services that are not required to obtain a permit under G.S. 130A-248, the provisions of Rule .1323(d) of this Section shall supercede the provisions of Rule 15A NCAC 18A .2610(e) regarding animals in dining areas. Except as required by G.S. 130A-247 through 250, food services at institutions shall not be required to obtain foodhandling establishment permits. Facilities that the "Rules Governing the Sanitation of Restaurants and Other Foodhandling Establishments" are made effective by the rules of this Section that were Dietary kitchens and associated dining areas in operation before March 1, 2003 may shall be allowed to continue to use equipment and construction in use on that date if no imminent hazard as defined at G.S. 130A-2(3) exists. Points shall not be deducted from the food service sanitation score for existing equipment that is kept clean and performs the task for which it is used. Replacement When such equipment is replaced, the replacement equipment for these facilities shall comply with 15A NCAC 18A .2600.

History Note: Authority G.S. 130A-235;
Eff. February 1, 1976;
Readopted Eff. December 1, 1977;

Amended Eff. March 1, 2003 (see S.L. 2002-160); September 1, 1990; June 30, 1980;
Temporary Amendment Eff. June 1, 2003;
Amended Eff. February 1, 2004.

15A NCAC 18A .1305 is proposed for readoption with substantive changes as follows:

15A NCAC 18A .1305 GRADING RESIDENTIAL CARE FACILITIES IN INSTITUTIONS

~~¶~~ When an institution is located in the same building or on the same property as includes one or more residential care facilities each providing that provide room or board for 12 persons or fewer, the residential care facilities shall be inspected and graded separately from the institution and in accordance with rules in 15A NCAC 18A .1600. .1600 shall apply and grading of the residential care facilities shall be in accordance with the residential care and these Rules do not apply.

History Note: Authority G.S. 130A-235;

Eff. February 1, 1976;

Readopted Eff. December 5, 1977;

Amended Eff. March 1, 2003 (see S.L. 2002-160); September 1, 1990.

15A NCAC 18A .1306 is proposed for readoption with substantive changes as follows:

15A NCAC 18A .1306 PUBLIC DISPLAY OF GRADE CARD

(a) ~~Whenever~~ When an inspection of an institution is made, the regulatory authority ~~Environmental Health Specialist~~ shall designate the location where the ~~remove the existing~~ grade card shall be posted. ~~card,~~ issue a new grade card, ~~and post the new~~ The grade card shall be located where it may be readily observed by the public upon entering the facility. ~~The administrator shall be responsible for keeping the grade card posted at the location designated by the Environmental Health Specialist at all times. If the administrator objects to the location designated by the Environmental Health Specialist, then the administrator may suggest an alternative location which meets the criteria of this Rule.~~ The posted grade card shall be black text on a white background. The section of text on the grade card that lists the numeric score and the alphabetic grade shall be 1.5 inches in height.

(b) ~~Private institutions are inspected and graded by Environmental Health Specialists employed by the local health departments, under the direction of the local health directors.~~ When an inspection of an institution is conducted, the regulatory authority shall remove any existing grade card, issue a new grade card, and post the new grade card in accordance with Paragraph (a) of this Rule. The administrator shall keep the grade card posted at the designated location at all times.

History Note: Authority G.S. 130A-235;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. March 1, 2003 (see S.L. 2002-160); July 1, 1986.

15A NCAC 18A .1307 is proposed for readoption with substantive changes as follows:

15A NCAC 18A .1307 REINSPECTIONS

Upon ~~the receipt of a request from of the management~~ administrator, the regulatory authority shall ~~conduct for~~ a reinspection for the purpose of raising the alphabetical grade in accordance with the Rules of this Section. ~~of the institution, the Environmental Health Specialist~~ The administrator shall submit the request for reinspection to the local health department, serving as the regulatory authority, for the county in which the institution is located. The regulatory authority shall make an unannounced inspection after the lapse of a reasonable period of time, not to exceed within 30 days- calendar days from the date on which the request for reinspection is made. The alphabetical grade that is assessed based on the reinspection shall replace the institution's most recently assessed alphabetical grade. Following a reinspection, a new grade card shall be issued and posted in accordance with Rule .1306 of this Section.

History Note: Authority G.S. 130A-235;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. March 1, 2003 (see S.L. 2002-160).

15 NCAC 18A .1308 is proposed for readoption with substantive changes as follows:

15A NCAC 18A .1308 ~~APPROVED INSTITUTIONS AND SCORING SYSTEM~~

(a) The ~~sanitation~~ grading of all institutions shall be based on a sanitation system of scoring as follows:

- (1) ~~wherein all~~ institutions receiving a score of at least 90 percent or greater shall be awarded Grade A;
- (2) ~~all~~ institutions receiving a score of at least 80 percent and less than 90 percent shall be awarded Grade B;
- (3) ~~all~~ institutions receiving a score of at least 70 percent and less than 80 percent shall be awarded Grade C; and
- (4) ~~all~~ institutions receiving a score of less than 70 percent do not meet the minimum sanitation ~~standards.~~ standards and shall not receive a grade.

(b) If an institution or an ~~institutional food service~~ an institution's dietary kitchen fails to earn ~~maintain~~ a sanitation score of at least 70 percent, ~~or if the Environmental Health Specialist determines that conditions found at the institution at the time of any inspection are dangerous to the health of residents or the public, the Environmental Health Specialist the regulatory authority shall notify the licensing agency within 24 hours.~~ hours of completing the inspection and shall provide a ~~A~~ copy of the inspection report ~~documenting the dangerous conditions shall be sent~~ to the licensing agency within two working business days following of the date of the inspection.

~~(b)(c)~~ Sanitation scores for institutions shall be determined by an Environmental Health Specialist authorized by the Department by completing an inspection report Form DENR-1213. The sanitation score is a percentage ~~compliance~~ determined by deducting points from 100 ~~percent~~ for each item found not to be in compliance with the Rules of this Section. Deductions for sanitation scores shall be based on actual violations of the Rules of this Section that are observed during the inspection. The regulatory authority ~~authorized Environmental Health Specialist~~ shall ~~deduct~~ take zero, one-half, or a full ~~or half credit deduction for non-compliant items~~ based on the severity or the recurring nature ~~severity, pervasiveness and persistence~~ of the rule violation. The percentage point value of each item is determined as follows:

- (1) Violation of Rule .1309 of this Section regarding ~~cleanability~~ the cleanliness and repair of floors and ~~carpet~~ provision of floor drains shall be assessed a value of equal no more than two points.
- ~~(2)~~ Violation of Rule .1309 of this Section regarding cleaning and maintenance of floors and carpet shall be assessed a value of two points.
- ~~(3)~~(2) Violation of Rule ~~.1310~~ .1310(a) of this Section regarding ~~cleanability and repair~~ of walls and ceilings shall be assessed equal a value of no more than two points.
- (3) Violation of Rule .1310(b) of this Section regarding ceiling attachments shall equal no more than one point.
- (4) Violation of Rule .1311(a) of this Section regarding lighting levels shall be assessed equal a value of no more than ~~two points.~~ one point.

- (5) Violation of Rule .1311(b) ~~or (c)~~ of this Section regarding ~~ambient air temperatures and cleaning~~ cleanliness of ventilation equipment shall ~~be assessed equal a value of no more than two points. one~~ point.
- ~~(6)~~ Violation of Rule .1311(c) of this Section regarding ambient air temperatures shall equal no more than two points.
- ~~(6)~~ Violation of Rule .1311(d) of this Section regarding moisture control shall be assessed a value of three points.
- ~~(7)~~ Violation of Rule .1311(e) of this Section regarding control of indoor smoke exposure shall be assessed a value of two points.
- ~~(8)~~(7) Violation of Rules ~~.1312(a), (b), or (f)~~ Rule .1312(a) of this Section regarding ~~location, cleaning and~~ repair of toilet, handwashing ~~handwashing,~~ and bathing facilities shall ~~be assessed equal a value of~~ no more than two points.
- ~~(9)~~(8) Violation of Rule .1312(b) of this Section regarding ~~toilet rooms~~ storage and signage shall be assessed equal a value of no more than one point.
- ~~(10)~~(9) Violation of Rule .1312(c) of this Section regarding bedpans, urinals, bedside ~~commodes~~ commodes, and emesis basins shall ~~be assessed equal a value of no more than~~ one point.
- ~~(11)~~ Violation of Rule .1312(e) or (d) of this Section regarding provision, accessibility and use of hand sinks shall be assessed a value of two points.
- ~~(12)~~(10) Violation of Rule .1312(d) of this Section regarding ~~equipment for~~ handwashing facilities shall be assessed equal a value of no more than three points.
- ~~(13)~~(11) Violation of Rule .1312(e) of this Section regarding ~~disinfectants hot water temperature at lavatory~~ disinfectants ~~and bathing facilities~~ shall be assessed equal a value of no more than two points.
- ~~(14)~~(12) Violation of Rule .1312(f) of this Section regarding ~~bathing facilities accessibility and mixing of~~ bathing facilities ~~cleaning and disinfectant agents~~ shall be assessed equal a value of no more than ~~three~~ two points.
- ~~(15)~~(13) Violation of Rule .1313(a) ~~or (d)~~ of this Section regarding water supply ~~and cross connections~~ shall be assessed equal a value no more than of four points.
- ~~(14)~~ Violation of Rule .1313(b) of this Section regarding water sampling shall equal no more than two points.
- ~~(15)~~ Violation of Rule .1313(c) of this Section regarding cross-connections shall equal no more than two points.
- (16) Violation of Rule .1313(d) ~~.1313 (e) or (f)~~ of this Section regarding ~~quantity of hot and cold water~~ quantity of hot and cold water ~~and backup water supply plans~~ shall be assessed equal a value of no more than ~~three~~ two points.
- ~~(17)~~ Violation of Rule .1313(e) of this Section regarding ~~back up water supply plans~~ shall equal no more than one point.
- ~~(17)~~(18) Violation of Rule .1314(a) of this Section regarding ~~cleaning and maintenance~~ cleaning, repair and ~~flow regulation~~ of drinking fountains shall be assessed equal a value of no more than ~~one point, two~~ one point.

- ~~(18)~~(19) Violation of Rule ~~.1314(a)~~ .1314(b) of this Section regarding drinking utensils used for service of water and ice shall be assessed equal a value of no more than two points.
- ~~(19)~~(20) Violation of Rule ~~.1314(b)~~ .1314(c) of this Section regarding protection of ice ~~and cleaning and repair of ice making and handling equipment and utensils~~ shall be assessed equal a value of no more than two points.
- ~~(20)~~(21) Violation of Rule ~~.1315~~ .1315(a) of this Section regarding ~~wastewater~~ sewage disposal shall be assessed equal a value of no more than four points.
- (22) Violation of Rule .1315(a) of this Section regarding disposal of mop water shall equal no more than three points.
- ~~(21)~~(23) Violation of Rule .1316(a) ~~.1316(a), (b) or (c)~~ of this Section regarding solid waste storage ~~and container cleaning facilities~~ shall be assessed equal a value of no more than one point. ~~four points.~~
- ~~(22)~~(24) Violation of Rule ~~.1316(d)~~ .1316(b) of this Section regarding refuse, recyclables, and returnables solid waste disposal and control of insect breeding or nuisance shall be assessed equal a value of no more than one point. ~~two points.~~
- ~~(23)~~(25) Violation of Rule ~~.1316(e)~~ .1316(c) of this Section regarding containers and container washing facilities ~~handling and disposal of medical wastes~~ shall be assessed equal a value of no more than one point. ~~two points.~~
- ~~(24)~~(26) Violation of Rule .1316(d) of this Section regarding cleaning and maintenance of the premises shall equal no more than two points.
- (27) Violation of Rule .1316(e) of this Section regarding handling and disposal of medical waste shall equal no more than two points.
- (28) Violation of Rule .1317(a) of this Section regarding pest control ~~exclusion of vermin~~ shall be assessed equal a value of no more than one point. ~~three points.~~
- ~~(25)~~(29) Violation of Rule .1317(b) of this Section regarding storage and handling of pesticides shall be assessed equal a value of no more than two points.
- ~~(26)~~ Violation of Rule .1317(c) of this Section regarding cleaning and maintenance of premises shall be assessed a value of two points.
- ~~(27)~~ Violation of Rule .1317(e) or (f) of this Section regarding pet maintenance shall be assessed a value of two points.
- ~~(28)~~ Violation of Rule .1318(a) of this Section regarding storage areas shall be assessed a value of one point.
- ~~(29)~~ Violation of Rule .1318(b) of this Section regarding mop sinks shall be assessed a value of one point.
- (30) Violation of Rule .1318(a) ~~.1318(c)~~ of this Section regarding medication carts shall be assessed equal a value of no more than two points.
- (31) Violation of Rule .1318(b) ~~.1318(d)~~ of this Section regarding feeding syringes, oral suction ~~catheters~~ catheters, and tube-feeding bags shall be assessed equal a value of no more than two points.

- (32) Violation of Rule .1319(a) of this Section regarding furnishings cleaning and repair of furniture and use of mattress covers shall be assessed equal a value of no more than one point, two points.
- (33) Violation of Rule .1319(b) of this Section regarding linens and linen storage changes and handling of soiled laundry shall be assessed equal a value of no more than one point, two points.
- (34) Violation of Rule .1319(c) .1319 of this Section regarding laundry areas and equipment, cleaning and sanitizing of laundry, and storage and handling of clean laundry shall be assessed equal a value of no more than three two points.
- (35) Violation of Rule .1319(d) .1319(e) of this Section regarding laundry repair, storage, cleaning and disinfection of patient contact items shall be assessed equal a value of no more than no more than one point.
- (36) Violation of Rule .1319(e) .1320 of this Section regarding laundry areas approval, cleaning and sanitizing food contact items shall be assessed equal a value of no more than one point, two points.
- (37) Violation of Rule .1319(f) of this Section regarding mobility equipment shall equal no more than one point.
- (37)(38) Violation of Rule .1320(a) .1320 of this Section regarding food service equipment approved uses of activity kitchens shall be assessed equal a value of no more than one point.
- (39) Violation of Rule .1320(b) of this Section regarding cleaning and sanitization of utensils shall equal no more than three points.
- (38)(40) Violation of Rule .1320(c) .1320(b) of this Section regarding handwashing lavatories in foodhandling areas shall be assessed equal a value of no more than two points.
- (41) Violation of Rule .1320(d) of this Section regarding cooking and baking equipment surfaces shall equal no more than one point.
- (39)(42) Violation or Rule .1321(a) of this Section regarding food sources and supplies shall be assessed equal a value of no more than three four points.
- (40)(43) Violation of Rule .1321(b) of this Section regarding storage, labeling, and condition disposition of food brought by employees or visitors shall be assessed equal a value of no more than one point.
- (41) Violation of Rule .1322 of this Section regarding milk and milk products shall be assessed a value of two points.
- (42)(44) Violation of Rule .1323(a) of this Section regarding food protection protection, temperature control and time in lieu of temperature shall be assessed equal a value of no more than four points.
- (43)(45) Violation of Rule .1323(b) of this Section regarding hot and cold food storage equipment and display units and thermometers shall be assessed equal a value of no more than one point.
- (44)(46) Violation of Rule .1323(c) of this Section regarding food storage shall be assessed equal a value of no more than one point.
- (45)(47) Violation of Rule .1323(d) of this Section regarding control of live animals in food service areas shall be assessed equal a value of no more than two points.

- ~~(46)~~(48) Violation of Rule .1324(a) of this Section regarding employee clothing ~~and tobacco use while handling food~~ shall ~~be assessed equal a value of no more than two points.~~ one point.
- ~~(47)~~(49) Violation of Rule ~~.1324(a)(1)-(5)~~ ~~.1324(a) or (b)~~ of this Section regarding employee ~~hand washing~~ handwashing and hand antiseptics shall ~~be assessed equal a value of no more than three points.~~
- (50) Violation of Rule .1324(b) of this Section regarding employee handwashing shall equal no more than three points.
- ~~(48)~~(51) Violation of Rule .1324(c) of this Section regarding exclusion of persons with certain diseases and conditions ~~infections~~ from food service work shall ~~be assessed equal a value of no more than four~~ two points.
- (52) Violation of Rule .1324(d) of this Section regarding cleaning supplies and written procedures for responding to vomiting or diarrheal events shall equal no more than two points.

History Note: Authority G.S. 130A-235;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. February 1, 2004; August 1, 2002.

15A NCAC 18A .1309 is proposed for reoption with substantive changes as follows:

15A NCAC 18A .1309 FLOORS

(a) ~~All The~~ floors in ~~intensive care units, bathrooms, showers, hydrotherapy areas, operating rooms, soiled utility rooms and laundry areas~~ an institution shall be made of smooth, non-absorbent materials and ~~so constructed as to be easy to clean.~~ shall be kept clean and in good repair.

~~(b) Floors shall be free of obstacles to cleaning, and shall be kept clean and in good repair. Notwithstanding the foregoing in Paragraph (a) of this Rule, if Carpeting carpet is installed in an institution then the carpet shall be maintained~~ kept clean, odor free, ~~dry~~ and in good repair.

~~(b) In all rooms in which floors are subjected to flooding type cleaning, floors shall be of nonabsorbent materials, shall be sloped to drain and be provided with floor drains.~~

*History Note: Authority G.S. 130A-235;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. March 1, 2003 (see S.L. 2002-160); September 1, 1990.*

15A NCAC 18A .1310 is proposed for reoption with substantive changes as follows:

15A NCAC 18A .1310 WALLS AND CEILINGS

(a) ~~The interior walls of the institution, including doors, windows and window trim, and ceilings of all rooms and areas shall be kept clean and in good repair. All walls shall be easily cleanable and shall have washable surfaces to the highest level reached by splash or spray in rooms or areas where such occur.~~

(b) Ceiling attachments, including light fixtures and fans, shall be kept clean and in good repair.

History Note: Authority G.S. 130A-235;

Eff. February 1, 1976;

Readopted Eff. December 5, 1977;

Amended Eff. March 1, 2003 (see S.L. 2002-160).

15A NCAC 18A .1311 is proposed for readoption with substantive changes as follows:

15A NCAC 18A .1311 LIGHTING, LIGHTING AND VENTILATION AND MOISTURE CONTROL

(a) ~~All~~ The areas interior to an institution's building or buildings shall be ~~provided~~ equipped with ~~sufficient~~ illumination to effectively perform all operations, including cleaning, and shall have at least 10 foot candles of light at 30 inches above the floor. ~~floor in all areas other than food service areas. Food service areas shall be lighted as required for restaurants in "Rules Governing The Sanitation of Restaurants and other Foodhandling Establishments" 15A NCAC 18A .2600.~~

(b) Ventilation equipment shall be kept clean and in good repair.

(c) Ambient indoor air temperatures shall be maintained in the range of ~~65° F~~ 65 degrees Fahrenheit to ~~85° F~~ 85 degrees Fahrenheit.

~~(d) Moisture shall be controlled such that there is no evidence of microbial growth on interior surfaces and objects.~~

~~(e) Indoor smoking, including the carrying of any lit cigarette, pipe, cigar, or other similar product containing tobacco or other substances shall be restricted to dedicated smoking rooms. Smoking rooms shall be ventilated to prevent environmental tobacco smoke from moving into other occupied portions of the building. There shall be no obligation to establish such smoking rooms.~~

History Note: *Authority G.S. 130A-235;*

Eff. February 1, 1976;

Readopted Eff. December 5, 1977;

Amended Eff. March 1, 2003 (see S.L. 2002-160); September 1, 1990; July 1, 1986; October 1, 1985.

15A NCAC 18A .1312 is proposed for reoption with substantive changes as follows:

15A NCAC 18A .1312 TOILET: HANDWASHING: ~~LAUNDRY:~~ AND BATHING FACILITIES

(a) All institutions shall provide ~~be provided with~~ toilet, handwashing, and bathing facilities that are ~~conveniently located and readily~~ accessible to residents and staff. These ~~facilities, and laundry facilities when provided,~~ shall be kept clean and in good repair.

(b) ~~Toilet facilities shall comply with the requirements of the state agency licensing the facility.~~ Toilet rooms shall not be used for storage. ~~Fixtures and furnishings shall be kept clean and in good repair.~~ ~~Durable, legible signs~~ A sign shall be posted ~~or stenciled conspicuously~~ in each toilet room for ~~food service institution~~ employees directing them to wash their hands after each visit to the toilet room and before returning to work.

(c) Institutions where bedpans, bedside commodes, urinals, ~~urinals~~ or emesis basins are used shall provide facilities for emptying, cleaning, and disinfecting bedpans, beside commodes, urinals, ~~urinals~~ and emesis basins. Bedpans, bedside commodes, urinals, shared diaper changing surfaces, ~~urinals~~ and emesis basins that have been used by a resident shall be ~~cleaned after each use~~ kept clean and shall be disinfected before use by other ~~patients, residents.~~ ~~Where bedpans are cleaned in patient rooms, bedpan cleaning facilities shall consist of a water closet with bedpan lugs or spray arms.~~ ~~Where facilities for cleaning bedpans are not provided in patient rooms, bedpans shall be taken to a soiled utility room and be cleaned and disinfected using an EPA registered hospital disinfectant after each use.~~ ~~Where~~ When disposable bedpans, emesis basins, and urinals ~~bedpans~~ are reused, they shall be labeled with the date of first use and so that they are associated with an individual resident. ~~Disposable bedpans, emesis basins, and urinals patient's name and date and shall not be used by more than one resident, patient.~~ ~~Bedside commodes shall be cleaned after each use and shall be cleaned and disinfected before use by successive patients.~~ ~~Hand sinks shall not be used for cleaning bedpans or bedside commodes.~~

(d) Handwashing facilities shall be located in an institution in accordance with 10A NCAC 13B, 10A NCAC 13D, 10A NCAC 13F, and 10A NCAC 13K, as applicable. ~~Institutions that do not have a handwashing facility located in all areas required by this Paragraph shall not be required to install handwashing facilities if the institution has an approved hand hygiene program.~~ ~~accessible to all areas where personnel may be exposed to bodily excretions or secretions and in sterile supply processing areas, medication rooms, laundry areas, and soiled utility rooms.~~ Any area where personnel may be exposed to bodily excretions or secretions shall have handwashing facilities located in the same room or have a doorway connecting to an adjacent room or corridor containing handwashing facilities. ~~All lavatories~~ Hand washing facilities shall be supplied equipped with ~~hot and cold~~ running water ~~through a and a tempering mixing device.~~ ~~faucet, or with tempered warm water, soap, and sanitary towels or hand drying devices.~~ ~~Facilities in operation prior to March 1, 2003 that do not have handwashing lavatories in all areas required shall not be required to install additional lavatories if an approved hand hygiene program is used.~~ ~~Hand hygiene programs shall be approved by the Environmental Health Specialist case by case based on type and frequency of activities involving contamination with bodily excretions or secretions, use of gloves to reduce contamination, availability of pre-moistened detergent wipes for hand cleaning, use of alcohol rubs or other skin antiseptics, and availability of handwashing facilities on the same wing or floor of the building.~~ Handwashing facilities shall be supplied with soap

~~and sanitary towels or hand-drying devices, provided in kitchens and any other food preparation areas in addition to any lavatories provided at employees' toilet rooms. Sinks used for washing utensils and equipment shall not be accepted as a substitute for required handwashing facilities. Handwash lavatories~~ Handwashing facilities shall be used only for ~~handwashing.~~ Handwashing facilities shall be used only for handwashing, personal hygiene, rinsing feeding tubes and obtaining water. ~~Lavatories provided for use of patients or residents shall be used only for handwashing, personal hygiene, rinsing feeding tubes and obtaining water. Lavatories used for handwashing or personal hygiene and shall not be used for disposal of body bodily fluids or washing items that are not clean, cleaning soiled linens. Lavatories in medication rooms used primarily for handwashing can be used for other purposes, such as disposal of medications, which do not interfere with effective handwashing. Notwithstanding the foregoing sentence,~~ handwashing facilities provided for use in a resident's room may be used for personal hygiene, rinsing feeding tubes, obtaining drinking water, and disposal of medications in accordance with the manufacturer's instructions or non-TCS liquids as long as the handwashing facility is kept clean and is disinfected daily. Employees shall be permitted to use handwashing facilities in medication storage rooms to dispose of medications in accordance with the manufacturer's instructions.

(e) ~~Water heating facilities shall provide hot water within the temperature range of 100 degrees F to 116 degrees F at all lavatories and bathing facilities. EPA registered disinfectants shall be used in accordance with the manufacturer's instructions. When EPA registered disinfectants are mixed and prepared by institution employees, a measuring device, chemical testing device, or the methods and devices proscribed by the chemical manufacturer shall be used to prepare the concentration of chemicals in accordance with the disinfectant's label and the manufacturer's instructions.~~

(f) ~~Bathing facilities as required by the licensing agency shall be provided, maintained and kept clean. Bathing facilities shall be supplied equipped with hot and cold running water and a mixing device, or tempering device. Shared bathing~~ Bathing equipment that has contact with a resident's patient's skin and is used by more than one resident shall be kept clean cleaned with detergent and shall be disinfected an EPA registered hospital disinfectant between patient resident uses. Equipment located within a bathing facility that uses a pump to move water shall be kept clean in accordance with the manufacturer's instructions. Manufacturer's instructions shall be followed for cleaning equipment with pumps. A supply of cleaning and disinfectant agents shall be accessible to bathing areas. Where disinfectants are mixed on site, the concentration of the mix shall be assured by use of a metering pump, measuring device or chemical test kit.

*History Note: Authority G.S. 130A-235;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. March 1, 2003 (see S.L. 2002-160); September 1, 1990;
Temporary Amendment Eff. June 1, 2003;
Amended Eff. February 1, 2004.*

15A NCAC 18A .1313 is proposed for adoption with substantive changes as follows:

15A NCAC 18A .1313 WATER SUPPLY

(a) Water supplies at institutions shall meet the requirements in 15A NCAC 18C or 15A NCAC 18A ~~4700~~ .1700, as applicable.

~~(b) Non community public water supplies shall be listed with the Public Water Supply Section, Division of Environmental Health.~~

~~(c)~~(b) In institutions that use a non-community water supply, a sample of water shall be collected by the Department ~~at least~~ once a year and submitted to the ~~Division of~~ North Carolina State Laboratory of Public Health Services or other laboratory certified by the North Carolina State Laboratory of Public Health under 10A NCAC 41C .0102 ~~Department~~ to perform bacteriological examinations.

~~(d)~~(c) An institution's water supply plumbing shall not include ~~Cross connections~~ cross-connections as set out in 15A NCAC 18C .0102(c)(8) ~~with sewage lines, non potable water supplies, or other potential sources of contamination are prohibited.~~

~~(e)~~(d) ~~Hot water~~ Water heating facilities shall be provided. Hot and cold running water under pressure shall be provided ~~to food preparation areas, and to any other areas where water is required~~ in sufficient quantities to carry out all operations. Hot water shall be provided at temperatures between 105 degrees Fahrenheit and 116 degrees Fahrenheit at handwashing and bathing facilities.

~~(f)~~(e) The ~~local health department administrator~~ administrator shall be immediately ~~notified~~ notify the licensing agency and the local health department that serves the county in which the institution is located if the institution's primary water supply is interrupted for more than four consecutive hours. ~~Each~~ The institution shall have a written plan to obtain a backup water supply in the event that the institution's primary water supply is ~~lost~~ interrupted for more than four consecutive hours. The written plan shall identify a backup water supply or alternate source of water ~~plan shall that provides provide for two liters of potable water per day per resident and institution employee person for drinking, drinking and potable water for~~ The backup water supply plan shall include a plan for either relocating residents or providing an alternative source of water for essential functions such as food preparation, hand washing, bathing, cleaning, dishwashing, laundry and disposal of bodily waste. This may include a plan for relocating residents to a facility with a water supply that satisfies Paragraph (a) of this Rule. The amount of water provided for uses other than drinking may be reduced if the plan includes alternatives for water use for services such as laundry and dishwashing. If an institution's primary water supply or back up water supply becomes non-potable then the water sources within the institution, such as sink faucets, ~~assessment determines that tap water is not to be used for drinking, sources shall be prominently labeled or hooded to restrict prevent their use and the administrator shall provide potable water for use by the institution's residents and employees.~~ shall be provided.

*History Note: Authority G.S. 130A-235;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;*

Amended Eff. March 1, 2003 (see S.L. 2002-160); September 1, 1990; July 1, 1986;
Temporary Amendment Eff. June 1, 2003;
Amended Eff. February 1, 2004.

15A NCAC 18A .1314 is proposed for reoption with substantive changes as follows:

15A NCAC 18A .1314 DRINKING WATER FACILITIES: ICE HANDLING

(a) Drinking fountains shall be ~~of sanitary angle jet design, kept clean, and in good repair, properly regulated.~~ All multi-use utensils used for service of water in patients' rooms, including glasses, pitchers, and drinking tubes, shall be cleaned and sanitized before being used by any other individuals. Disposable water pitchers shall be marked with the patient's name, used only by that patient and shall be disposed of and replaced when visibly soiled.

(b) Multi-use utensils for service of water and ice shall be kept clean and in good repair and shall be sanitized before being provided to a resident for use. Disposable, single service utensils shall be used by only one person.

(c) Ice shall be ~~handled, transported, stored, and dispensed in such a manner as to be protected against contamination.~~ physical, chemical, and biological contamination and shall be kept clean. Ice machines, buckets, ~~other containers,~~ and scoops shall be ~~cleaned on a regular schedule such that they are kept clean and free of scum, rust, mold or other contamination.~~ Ice machines, buckets, ~~other containers and scoops shall be maintained in good repair, repair and shall be protected from the elements, splash, drip, dust, vermin, other contamination, and from use by unauthorized personnel.~~ Ice machines and storage chests ~~which are~~ accessible to patients residents, guests, or the public shall provide ice through automatic ice dispensing equipment ~~which prevents the contamination of stored ice.~~ and shall not permit ice to be accessed using a scoop or bucket.

History Note: Authority G.S. 130A-235;

Eff. February 1, 1976;

Readopted Eff. December 5, 1977;

Amended Eff. March 1, 2003 (see S.L. 2002-160); September 1, 1990.

15A NCAC 18A .1315 is proposed for readoption with substantive changes as follows:

15A NCAC 18A .1315 LIQUID WASTES

(a) All ~~wastewater~~ sewage originating from the institution shall be disposed of ~~in accordance~~ using a publicly operated sewage treatment plant or an individual sewage disposal system that meets the requirements of Section .1900 of this Subchapter. ~~with 15A NCAC 18A .1900 or 15A NCAC 02H .0200.~~

(b) Mop basins or mop sinks shall be used to wash mops and dispose of the water used for mopping.

History Note: Authority G.S. 130A-235;
Eff. February 1, 1976;
Amended Eff. July 1, 1977;
Readopted Eff. December 5, 1977;
Amended Eff. March 1, 2003 (see S.L. 2002-160); September 1, 1990.

15A NCAC 18A .1316 is proposed for readoption with substantive changes as follows:

15A NCAC 18A .1316 ~~SOLID WASTES~~ WASTES: PREMISES: MEDICAL WASTES

- (a) All solid wastes containing food scraps or other ~~decomposable putrescible~~ materials ~~shall, prior to disposal, shall~~ be kept in leak-proof, non-absorbent ~~containers, such as standard garbage cans, containers~~ which shall be kept covered with tight-fitting lids ~~when filled or stored, or not in use. continual use; provided that such containers need not be covered when stored in a special vermin proofed room, such as a refrigerated garbage room, or enclosure.~~
- (b) ~~All dry rubbish (including scrap paper, cardboard boxes, packing crates, etc.)~~ Refuse, recyclables, and returnables shall be stored in containers, rooms, or areas ~~designated areas~~ for the storage of refuse, recyclables, and returnables.
- (c) The ~~rooms, enclosures, designated rooms areas,~~ and containers described in Paragraph (b) of this Rule shall be adequate for the storage of all solid wastes accumulating on the premises. have the capacity to store the institution's refuse, recyclables, and returnables and shall be kept clean. Cleaning facilities for ~~waste~~ containers used to store food scraps, putrescible materials, refuse, recyclables, and returnables shall be provided. ~~Containers, rooms, or designated areas shall be kept clean.~~
- (d) ~~All solid wastes shall be disposed of with sufficient frequency and in such a manner as to prevent insect breeding or public health nuisances. An institution's exterior premises, including parking lots, lawns, and walkways, and interior premises within the institution's building or buildings, shall be kept free of garbage, solid waste, yard trash, and conditions that attract or harbor pests.~~
- (e) Medical wastes shall be handled and disposed of as required in North Carolina "Solid Waste Management Rules" 15A NCAC 13B .1200. .1200 Medical Waste Management.

History Note: Authority G.S. 130A-235;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. March 1, 2003 (see S.L. 2002-160); September 1, 1990.

15A NCAC 18A .1317 is proposed for readoption with substantive changes as follows:

15A NCAC 18A .1317 VERMIN PEST CONTROL: PREMISES: ANIMAL MAINTENANCE
PESTICIDES

- (a) ~~Effective measures shall be taken to keep flies, rodents, cockroaches, and other vermin out of the establishment and to prevent their breeding or presence on the premises. All openings~~ Pests shall not be present in an institution's building or buildings. Openings to the outside of an institution's building or buildings ~~the outer air shall be protected against the entrance of flies and other flying insects by~~ equipped with self-closing doors, doors that are flush with the door frame when closed, closed windows, 16 mesh or finer screening, window screening on windows that can be opened, or controlled air currents, or other effective means. currents to prevent pests from entering the building or buildings.
- (b) ~~Only those pesticides that are registered in accordance with 40 C.F.R. 152 and G.S. 143-442 shall be used to control pests, which have been approved for a specific use and registered with the Environmental Protection Agency and with the North Carolina Department of Agriculture in accordance with the "Federal Insecticide, Fungicide and Rodenticide Act" and the "North Carolina Pesticide Law". Such pesticides~~ Pesticides shall be used used, handled, and stored as directed on in accordance with the instructions on the manufacturer's label. label and shall be so handled and stored as to avoid health hazards.
- (c) ~~The premises under control of the management shall be kept neat, clean, and free of litter. There shall be no fly or mosquito breeding places, rodent harborages, or undrained areas on the premises.~~
- (d) ~~Cleaning shall minimize accumulation of feces and other allergens generated by insects and other vermin.~~
- (e) ~~Animal pens, litter boxes, bird cages and other areas on the premises shall be cleaned to minimize accumulation of animal wastes, pet dander and allergens.~~
- (f) ~~Copies of veterinary records for all resident pets shall be kept on the premises.~~

*History Note: Authority G.S. 130A-235;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. March 1, 2003 (see S.L. 2002-160); September 1, 1990.*

15A NCAC 18A .1318 is proposed for readoption with substantive changes as follows:

15A NCAC 18A .1318 MEDICAL SUPPLIES MISCELLANEOUS

~~(a) Suitable rooms or spaces shall be provided for the storage of all necessary equipment, furniture and supplies, and kept clean. All patient care or consumable items shall be stored at least eight inches above the floor to prevent water contamination from cleaning floors and shall not be stored below exposed sewer lines.~~

~~(b) Mop receptors or sinks shall be provided and used for the cleaning of mops and the disposal of mop water. Other plumbing fixtures shall not be used for these purposes.~~

~~(a)(e) Medication carts shall be kept clean, ~~cleaned when visibly soiled.~~ ~~Food and utensils~~ Food, utensils, medications, and medication dispensing equipment used on medication carts shall be kept clean, ~~handled in a sanitary manner.~~ Unused medication cups shall be kept covered or inverted. Sharps containers located on medication carts shall be attached ~~affixed~~ or secured to the medication card to prevent the sharps contained from spilling, ~~spillage.~~~~

~~(b)(d) Feeding bags, tubes ~~syringes~~ syringes, and oral suction catheters shall be used in accordance with the manufacturer's instructions, ~~which are reused shall be labeled with the patient's name and date opened, shall be disassembled and rinsed after each use, and shall be disposed of within 24 hours of first use. Tube feeding bags shall be changed within the time period specified by the manufacturer. Oral suction catheters which are reused shall be flushed after each use and shall be disposed of within 24 hours of first use. Feeding syringes and oral suction catheters shall be stored in a clean container.~~~~

*History Note: Authority G.S. 130A-235;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. March 1, 2003 (see S.L. 2002-160).*

15A NCAC 18A .1319 is proposed for readoption with substantive changes as follows:

15A NCAC 18A .1319 FURNISHINGS AND LAUNDRY PATIENT CONTACT ITEMS

(a) ~~All furniture, bed springs, mattresses, sleeping mats, draperies, curtains, shades, venetian blinds, or other furnishings in institutions~~ Furnishings in an institution, including furniture, curtains, rugs, and blinds shall be kept clean and in good repair. Mattresses shall be kept clean, ~~dry, dry~~ and in good repair. ~~odor free.~~

(b) ~~Clean bed linen~~ Bed linens that are provided by the institution for use by residents shall be free from holes and tears. A resident's bed linens in good repair shall be provided for each individual and shall be changed when no longer clean, soiled. Soiled linen Linens that are not clean shall be placed in a covered container or bag devoted to this purpose at the point of use and stored in the covered container or bag until sanitized in accordance with Paragraph (c) of this Rule ~~and handled so as~~ to contain and minimize aerosolization of and exposure to any waste products. Such covered containers or bags shall be kept clean between uses and labeled to indicate the contents. Linens that are not clean shall be handled and stored separately from sanitized linens. Soiled laundry shall be handled and stored separately from clean laundry using separate cleanable carts or bags. Carts used for soiled laundry shall be labeled for soiled laundry use only.

(c) Linens provided by the institution that are not clean shall be sanitized in accordance with this paragraph. When hot water in washing machines is used to sanitize linens provided by the institution, the washing machines shall be operated in accordance with the manufacturer's instructions. When chemicals are used to sanitize linens provided by the institution, linens shall be washed in accordance with the following:

- (1) using a solution of at least 50 parts per million chlorine;
- (2) using laundry sanitizer that is registered in accordance with 40 C.F.R. 152 and that is used in accordance with the manufacturer's instructions; or
- (3) using a chemical or laundering process that produces a 99.9 percent reduction of pathogens.

~~If hot water is used, linen including sheets, pillow cases, absorbent pads, towels and wash cloths provided by the facility shall be washed with a detergent in water at least 71°C (160°F) for 25 minutes. If low temperature (less than 71°C) laundry cycles are used, linens shall be washed in at least 50 parts per million chlorine or an EPA Listed laundry sanitizer shall be used in accordance with the manufacturer's instructions. This shall not preclude the approval of other chemicals or processes shown to produce a 99.9 percent reduction of the pathogens Staphylococcus aureus, Klebsiella pneumoniae and Pseudomonas aeruginosa on laundry. The wash temperatures and chemicals required for linens shall not apply to personal laundry provided and used by a resident. Clean linen shall be stored and handled in a separate room or area, or in another manner that will prevent contamination of clean linen. Laundry areas and equipment shall be kept clean.~~

(d) Clothing and linens that are provided by a resident for the resident's personal use shall be that resident's personal laundry. Personal laundry that is not clean shall be kept separate from clean clothing and linens using covered containers or bags that are labeled to indicate their contents and kept clean between uses. Containers or bags that are used to hold personal laundry that is not clean shall not be used for personal laundry. When a resident's personal

laundry is combined with the personal laundry of one or more other residents and washed together by the institution, the combined personal laundry shall be washed in accordance with Paragraph (c) of this Rule.

(e) Laundry areas and equipment shall be kept clean.

~~(f)(e) Patient contact items~~ Wheelchairs, walkers, lifts, and other mobility equipment shall be kept clean and sanitized between uses by different residents, in good repair. Soiled patient contact items shall be taken to a designated area for cleaning and shall be stored separately from clean items. A room or area shall be provided for cleaning patient contact equipment such as wheelchairs. Patient contact items such as diaper changing surfaces that become contaminated during use shall be cleaned and disinfected after each use. Shared toys subject to mouthing shall be washed and rinsed with soap and water and disinfected with 70 percent alcohol or 100 parts per million chlorine after each day's use. Shared plush toys shall be laundered after each day's use. Shared toys that are not washable shall be gas sterilized or disposed of when soiled.

History Note: Authority G.S. 130A-235;

Eff. February 1, 1976;

Readopted Eff. December 5, 1977;

Amended Eff. March 1, 2003 (see S.L. 2002-160); August 1, 1998; February 1, 1997; September 1, 1990;

Temporary Amendment Eff. June 1, 2003;

Amended Eff. February 1, 2004.

15A NCAC 18A .1320 is proposed for reoption with substantive changes as follows:

15A NCAC 18A .1320 ACTIVITY KITCHENS, REHABILITATION KITCHENS, AND NOURISHMENT STATIONS FOOD SERVICE UTENSILS AND EQUIPMENT

(a) All food service equipment and utensils shall be kept clean and in good repair. Institutions shall be allowed to use domestic food service equipment in activity kitchens, rehabilitation kitchens, and nourishment stations. ~~used in institutions for preparing meals for 13 or more people shall comply with the requirements of "Rules Governing the Sanitation of Restaurants and Other Foodhandling Establishments" 15A NCAC 18A .2600. Residential style rehabilitation activity kitchens with domestic utensils and equipment may be used by groups of 12 or less people to prepare meals only for members of the group. Potentially hazardous foods prepared in rehabilitation activity kitchens shall not be served to groups of more than 12 people. This shall not preclude the use of an activity kitchen as a serving area for meals catered from a main kitchen and served to groups of 13 or more people in connection with a planned event from which the public is excluded. For planned events, the equipment in the activity kitchen may be used for heating prepared foods received from a main kitchen or a commercial source. Bread machines, soup kettles and other food-contact items used at nutrition stations shall be so constructed as to be easily cleanable.~~

(b) Utensils that have been used to prepare, serve, or consume food or drink shall be returned to the dietary kitchen and shall be washed, rinsed, and sanitized. Notwithstanding the foregoing sentence, utensils may be washed, rinsed and sanitized at ~~At activity kitchens or~~ kitchens, rehabilitation kitchens, and nourishment ~~nutrition stations, stations~~ provisions shall be made for cleaning all food service utensils and equipment and sanitizing utensils and equipment not continuously subjected to high temperatures. Where utensils and equipment are not returned to a central kitchen for cleaning, designated nutrition stations shall be that are equipped with the following:

- (1) at least a two compartment sink with 24 inch drainboards or counter top space at each end of the sink for handling used utensils ~~dirty items~~ and air drying clean and sanitized utensils. ~~items. Sinks~~ The sinks shall be of sufficient size to submerge, wash, rinse and sanitize utensils; or
- (2) a dishwashing machine approved by NSF International. ~~utensils and equipment. At nutrition stations, dish machines listed with NSF International shall meet this provision.~~

(c) Any area where food is portioned, served, ~~served~~ or handled shall be equipped with a separate handwash lavatory handwashing facility with a hot and cold mixing faucet, soap, ~~soap~~ and single-use individual towels or hand drying device. ~~Separate handwashing lavatories shall not be required for activity kitchens used only by groups of 12 or less people.~~

(d)(e) All kitchenware and ~~The~~ The food-contact surfaces of cooking and baking equipment, including microwave ovens, shall be kept clean. ~~exclusive of cooking surfaces of equipment, used in the preparation or serving of food or drink, and all food storage utensils, shall be cleaned after each use. Cooking surfaces of equipment shall be cleaned at least once each day. All utensils and food contact surfaces of equipment used in the preparation, service, display, or storage of potentially hazardous foods shall be cleaned and sanitized prior to each use. Non food contact surfaces of equipment shall be cleaned at such intervals as to keep them in a clean and sanitary condition.~~

History Note: Authority G.S. 130A-235;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. March 1, 2003 (see S.L. 2002-160); September 1, 1990;
Temporary Amendment Eff. June 1, 2003;
Amended Eff. February 1, 2004.

15A NCAC 18A .1321 is proposed for reoption with substantive changes as follows:

15A NCAC 18A .1321 FOOD SUPPLIES

(a) All food and food supplies provided by an institution for consumption by residents shall be from ~~sources that~~ comply with North Carolina "Rules Governing the Sanitation of Restaurants and Other Foodhandling Establishments" approved sources, stored, and handled as set forth in Section 15A NCAC 18A .2600 of this Subchapter. ~~and shall be clean, free from spoilage, free from adulteration and misbranding, and safe for human consumption.~~

(b) Food brought from home by employees or visitors of patients or residents shall be stored separately from the institution's food supply ~~and shall be labeled with the name of the person to receive the food and the date the food was brought in and shall be kept only as long as it is clean, and free from spoilage.~~ as described in Paragraph (a) of this Rule. Such food shall be labeled with the name of the resident or employee that the food belongs to and the date the food was brought into the institution. Labeling shall not be required for food items stored in employee-designated or individual resident's refrigerators or rooms.

*History Note: Authority G.S. 130A-235;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. March 1, 2003 (see S.L. 2002-160); September 1, 1990;
Temporary Amendment Eff. June 1, 2003;
Amended Eff. February 1, 2004.*

15A NCAC 18A .1323 is proposed for readoption with substantive changes as follows:

15A NCAC 18A .1323 FOOD PROTECTION IN ACTIVITY KITCHENS, REHABILITATION KITCHENS, AND NOURISHMENT STATIONS

(a) ~~All TCS food shall be maintained at temperatures required by Section .2600 of this Subchapter during storage, preparation, transportation, display, and service of the TCS food. Time as a public health control may be used as specified in Section .2600 of this Subchapter, except that written procedures shall not be required. All food while being stored, prepared, transported, displayed, and served, shall be protected from contamination. All perishable foods shall be stored at temperatures which will protect against spoilage. All potentially hazardous food shall be maintained at safe temperatures (45 degrees F. or below, or 140 degrees F. or above) except during necessary periods of preparation and serving. Potentially hazardous foods served shall be either consumed or discarded within two hours of being removed from temperature control. Medications shall be stored in a manner which will not contaminate food or food products such as in separate covered containers or in separate refrigerators.~~

(b) ~~Hot and cold holding equipment shall be used to maintain required temperatures for TCS food. Conveniently located refrigeration units, hot food storage and display units and effective insulated units shall be provided as needed to assure the maintenance of all food at required temperatures during storage, preparation, display, service, and transportation. Each refrigeration unit shall be provided with an indicating thermometer that is accurate to ± 3 degrees Fahrenheit or ± 1.5 degrees Celsius, of such type and so situated that the thermometer can be easily read except that indicating thermometers shall not be required for food iced in coolers for transport.~~

(c) ~~Containers of food~~ Food shall be stored at least six inches above the floor, in a clean, dry location, and on clean racks, dollies, slatted shelves, or other clean surfaces in such a manner as to be protected from splash or other contamination.

(d) No live animals shall be allowed in any room where food is prepared or stored. Live animals shall be ~~allowed in dining areas if their presence will not result in contamination of food, clean equipment, utensils, linens, and unwrapped single service and single use articles in the following situations:~~ permitted in an institution's dining areas in the following situations and only if the live animal does not come into physical contact with institution employees engaged in the preparation or handling of food, serving dishes, utensils, tableware, linens, unwrapped single service and single use articles, food contact surfaces, or other food service items:

- (1) Fish or crustacea in aquariums or display tanks, or other animals in enclosed terrariums or glass enclosed aviaries;
- (2) Patrol dogs accompanying police or security officers in offices and dining, sales, and storage areas, and sentry dogs running loose in outside fenced areas;
- (3) Service animals accompanying individuals with disabilities in areas that are not used for food preparation; and In areas that are not used for food preparation such as dining and sales areas, support animals such as guide dogs that are trained to assist an employee or other person who is handicapped, are controlled by the handicapped employee or person, and are not allowed to be on seats or tables; and

- (4) Dogs (Canis lupus familiaris) and cats (Feliscatus) in outdoor dining areas provided that dogs and cats are physically restrained and do not pass through any indoor dining areas of the facility. Pets in the common dining areas of group residences at times other than during meals if:
- (A) ~~Effective partitioning or self-closing doors prevent pets from entering food storage and food preparation areas;~~
 - (B) ~~Condiments, equipment, and utensils are stored in enclosed cabinets or removed from the common dining areas when pets are present; and~~
 - (C) ~~Dining areas including tables, countertops, and similar surfaces are cleaned after all pets have left the area and before the next meal service.~~

(e) Notwithstanding Paragraph (d) of this Rule, and except in accordance with applicable law, nothing in this Rule shall prohibit an institution from restricting live animals in dining areas.

History Note: Authority G.S. 130A-235;

Eff. February 1, 1976;

Readopted Eff. December 5, 1977;

Amended Eff. March 1, 2003 (see S.L. 2002-160); October 1, 1993; September 1, 1990.

15A NCAC 18A .1324 is proposed for reoption with substantive changes as follows:

15A NCAC 18A .1324 EMPLOYEES

(a) ~~While on duty, at work, all institution employees shall wear visibly clean outer clothing, clothing and shall be clean as to their persons. No employee shall use tobacco in any form while engaged in the preparation and handling of food.~~ Employees shall wash or decontaminate their ~~hands;~~ hands as set forth in Paragraph (b):

- (1) before beginning work;
- (2) after each visit to the toilet;
- (3) before and after ~~patient~~ resident contact, including using an oral feeding feeding; tube;
- (4) ~~after contact with a source of microorganisms (body fluids and substances, mucous membranes, nonintact skin, inanimate objects that are likely to be contaminated); coughing, sneezing, using a handkerchief or disposable tissue, using tobacco, eating, or drinking; and~~
- (5) after removing gloves.

(b) Institution employees shall wash their hands in a handwashing sink using the handwashing method required for food employees in Section .2600 of this Subchapter. ~~When hands are visibly soiled, routine handwashing shall include a vigorous rubbing together of all surfaces of lathered hands for at least 10 seconds followed by thorough rinsing under a stream of water and drying with individual disposable towels or hand drying devices.~~ When hands are not visibly soiled, clean, the use of alcohol-based hand antiseptics with alcohol-based hand rubs shall be acceptable for decontamination of hands. In the event of interruption of the institution's water supply or when in settings where handwashing facilities are inadequate or inaccessible, hand decontamination can be achieved by using detergent containing towelettes towelets and alcohol-based hand rubs, antiseptics.

(c) Institution employees shall comply with the requirements for exclusion from work and restriction due to communicable disease or illness required for food employees as set forth in Section .2600 of this Subchapter. ~~No person who has a communicable or infectious disease that can be transmitted by foods, or who knowingly is a carrier of organisms that cause such a disease, or who has a boil, infected wound, or an acute respiratory infection with cough or nasal discharge, shall work in food service in any capacity in which there is a likelihood of such person contaminating food or food contact surfaces, with disease-causing organisms or transmitting the illness to other persons.~~

(d) The institution shall have gloves, personal protective equipment, disinfectant, individual disposable towels, and a coagulating agent on-site for employees to use and a written procedure for employees to follow when responding to vomiting or diarrheal events that involve the discharge of vomitus or fecal matter onto surfaces in the institution. The procedure shall specify the actions that employees shall take to minimize the exposure of employees, residents, guests, food, and additional surfaces to vomitus or fecal matter.

*History Note: Authority G.S. 130A-235;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;*

Amended Eff. March 1, 2003 (see S.L. 2002-160); September 1, 1990.

15A NCAC 18A .1327 is proposed for reoption with substantive changes as follows:

15A NCAC 18A .1327 INCORPORATED RULES

For purposes of this Section, 15A NCAC 13B Section .1200, 15A NCAC 18A Section .1700, 15A NCAC 18A Section .2600, and 15A NCAC Section 18C, are hereby incorporated by reference, including any subsequent amendments or editions, and available free of charge at <http://reports.oah.state.nc.us/ncac.asp>.

~~(a) The North Carolina "Rules Governing the Sanitation of Restaurants and Other Foodhandling Establishments" 15A NCAC 18A .2600 are incorporated by reference including any subsequent amendments or editions. This material is available for inspection at the Department of Environment and Natural Resources, Division of Environmental Health, 2728 Capital Boulevard, Raleigh, NC. Copies may be obtained from Environmental Health Services Section, 1632 Mail Service Center, Raleigh, NC 27699-1632 at no cost.~~

~~(b) The North Carolina "Rules Governing Public Water Systems" 15A NCAC 18C are incorporated by reference including any subsequent amendments or editions. This material is available for inspection at the Department of Environment and Natural Resources, Division of Environmental Health, 2728 Capital Boulevard, Raleigh, NC. Copies may be obtained from Public Water Supply Section, 1634 Mail Service Center, Raleigh, NC 27699-1634 at no cost.~~

~~(c) The North Carolina "Rules Governing Protection of Water Supplies" 15A NCAC 18A .1700 are incorporated by reference including any subsequent amendments or editions. This material is available for inspection at the Department of Environment and Natural Resources, Division of Environmental Health, 2728 Capital Boulevard, Raleigh, NC. Copies may be obtained from Environmental Health Services Section, 1632 Mail Service Center, Raleigh, NC 27699-1632 at no cost.~~

~~(d) The North Carolina "Solid Waste Rules" 15A NCAC 13B .1200 Medical Waste Management are incorporated by reference including any subsequent amendments or editions. This material is available for inspection at the Department of Environment and Natural Resources, Division of Environmental Health, 2728 Capital Boulevard, Raleigh, NC. Copies may be obtained from Solid Waste Section, 1646 Mail Service Center, Raleigh NC 27699-1646 at a cost of nine dollars (\$9.00).~~

~~(e) The North Carolina "Rules Governing Grade A Milk Sanitation" 15A NCAC 18A .1200 are incorporated by reference including any subsequent amendments or editions. This material is available for inspection at the Department of Environment and Natural Resources, Division of Environmental Health, 2728 Capital Boulevard, Raleigh, NC. Copies may be obtained from Environmental Health Services Section, 1632 Mail Service Center, Raleigh, NC 27699-1632 at no cost.~~

*History Note: Authority G.S. 130A-235;
Eff. March 1, 2003 (See S.L. 2002-160).*