

**Comprehensive List of State and Federal Requirements for
The Area Authority and Provider**

The document below serves as sufficient and necessary direction to Providers for accessing pertinent rules, regulations, standards, and other information. These documents change based on legislative action, change in federal and state policy, and state procedures. There is a mutual responsibility for Providers and Area Authorities to each routinely check these items for updates on requirements. If a Provider is uncertain how a State or Federal change will be implemented, or if an Area Authority has concerns about how a change will be implemented, then the Area Authority shall make a good faith effort to get further information or resolution regarding implementation and share this with the Provider. However, the Provider shall not exclusively rely upon only the Area Authority for information. If a Provider has problems obtaining or understanding the information referenced in this section, please contact the following department/individual at the Area Authority: Suzanne Nix, Provider Relations Specialist at (252) 233-2244.

Please note that there is an acknowledgement at the end of this document that must be signed and returned to Eastpointe with your completed Provider Network Application regarding these requirements.

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REQUIREMENT	SUGGESTED ACCESS	WEB SITE, IF AVAILABLE
APSM 30-1 (Rules for MH/DD/SA- Core rules for services and also includes State-covered services definitions) APSM 45-1 (Confidentiality) APSM 45-2 (Service Record Manual) APSM 45-2a (Service Records Resource Manual) APSM 95-2 (Client Rights) APSM 10-3 (Records Retention and Disposition Schedule) APSM 75-1 (Area Programs Budget ProManual) 45 CFR Par & 164 (HIPAA Standards for Privacy and Security of Health Information)	Contact: Mail Service Center, 3015 Raleigh, NC 27699 (919) 715-1294	Contact Web Master for the NC Division of MH/DD/SA Services and NC Division of Medical Assistance www.dhhs.state.nc.us/mhddsas/manuals
CAP-MR/DD Manual –(CAP Providers and Core Competencies Training Requirements for MR/MI service providers)	Contact: Mail Service Center, 3015 Raleigh, NC 27699 (919) 715-1294	http://www.dhhs.state.nc.us/mhddsas/developmentaldisabilities/operations/index.htm
Medicaid-Related Documents Medicaid-covered services definitions Medicaid Services Guidelines Medicaid Communiqués	Contact: Mail Service Center, 3015 Raleigh, NC 27699 (919) 715-1294	http://www.dhhs.state.nc.us/mhddsas/medicaid/index.htm
Residential Licensure Requirements	(919) 855-3750	http://facility-services.state.nc.us/provider.htm

Health Care Personnel Registry	(919) 733-8500 or (919) 715-0562	http://facility-services.state.nc.us/hcarpage.htm and www.ncnar.org
SB 163- Monitoring of Providers		http://www.dhhs.state.nc.us/mhddsas/sb163/index.htm
State Level		
<p style="text-align: center;">General Statutes</p> <p style="text-align: center;">122-C Mental Health, Substance Abuse, Developmental Disabilities Act of 1985</p> <p>Applicable sections include but are not limited to:</p> <ul style="list-style-type: none"> ▪ 122C-3 Definitions ▪ 122C-4 Use of phrase “client or his legally responsible person ▪ 122C-51 Declaration of Policy on clients rights ▪ 122C-52 Right to confidentiality ▪ 122C-53-56 Exceptions... ▪ 122C-57 Right to treatment and consent to treatment ▪ 122C-58 Civil Rights and civil remedies ▪ 122C-59 Use of Corporal punishment ▪ 122C-60 Use of physical restraints or seclusion ▪ 122C-61 Treatment rights in 24-hour facilities ▪ 122C-62 Additional rights in 24-hour facilities ▪ 122C-63 Assurance for continuity of care for individuals with mental retardation ▪ 122C-64 Human rights Committees ▪ 122C-65 Offenses relating to clients ▪ 122C-66 Protection from abuse and exploitation; reporting ▪ 122C-67 Other rules regarding abuse, exploitation, neglect, no prohibited ▪ 122C-(116,141,142,146) Local Government Entity ▪ 122C-151.3 and 151.4 Resolving Disputes with Contractors, etc ▪ 90-21.4 Treatment of Minors ▪ 7A 517, 452-553 Abuse and neglect of Minors ▪ 108A 99-111 Abuse and Neglect of Disabled Adults ▪ 122C-151.3 and 151.4 Resolving Disputes with Contractors, etc. 		<p>All of the NC general statutes can be located on-line at the following site. Just type in the statute number you wish to review in the search box that is in this site.</p> <p>www.ncleg.net</p>
DHHS Disaster Preparedness, Response and Recovery Plan		(Not yet available)
SB 926- Monitoring of Providers		http://www.dhhs.state.nc.us/mhddsas/sb163/index.htm
Performance Agreement(03-04) between DMH and Area programs-Attachment 12-prompt pay		www.dhhs.state.nc.us/mhddsas/performanceagreement
Contract between the Area Authority and the NC division of MH/DD/SAS		http://www.dhhs.state.nc.us/mhddsas

Federal level		
Drug Free Workplace Act of 1988 as revised	Library-Federal Laws	http://www.dol.gov/elaws/drugfree.htm
Section 503 and 504 of the Rehabilitation Act of 1973	Library –Federal Laws	http://www.dol.gov/dol/compliance/compliance-majorlaw.htm#eoc
Civil Rights Act of 1964	Library-Federal Laws	www.eeoc.gov http://www.eeoc.gov/policy/vii.html
Non-Profit Agencies-Conflict of Interest 1993 Session Laws: Chapter 321, Section 16	Library-Federal Laws	www.dol.gov
Public Law 99-319, May 1986 Protection and Advocacy for Mentally Ill Persons	Library-Federal Laws	http://thomas.loc.gov/bss/d099/d099laws.html Search for 99-320
<ul style="list-style-type: none"> ▪ Title I Protection and Advocacy Systems ▪ Title II ReinStatement of Rights for Mental Health patients 		http://www4.law.cornell.edu/uscode/42/ch114.html
Public Law 100-509 Protection & Advocacy for Mentally Ill Individual Amendments Act of 1988, October 1988	Library-Federal Laws	http://thomas.loc.gov/bss/d100/d100laws.html Search for 100-509 http://www.oxfordhouse.org/fairhouse.html
Public Law 101– 496 Developmental Disabilities Assistance and Bill of Rights Act of 1990	Library-Federal Laws	http://thomas.loc.gov/bss/d101/d101laws.html Search for 101-496
42 CFR Part 2 Confidentiality Regulations 45 CFR Part 160 & 164 HIPAA Standards for Privacy of Health Information	Library-Federal Laws	Federal Regulations search: http://www.gpoaccess.gov/cfr/index.html
Office of the Inspector General (Exclusions - “Lower-tier Transactions and disbarment”)	Library – Federal Laws	http://oig.hhs.gov/fraud/exclusions.html
Pro-children Act Section 1041-1044 of the Educate America Act of 1994 prohibiting smoking in areas used by children.	Library – Federal Laws	http://www.ed.gov/legislation/GOALS2000/TheAct/intro.html
Americans with Disabilities Act	Library – Federal Laws	http://www.usdoj.gov/crt/ada/adahom1.htm
OTHER		
North Carolina Council of Community MH/DD/SAS Programs		www.nc-council.org
Area Authority/LME -Specific		
Local Business Plan		www.eastpointe.net
Local Policies and Procedures		www.eastpointe.net

