

10A CAR 70L .0102 - WAIVER OF LICENSING RULES

- (a) The PHHS Department of Regulatory & Compliance is the licensing authority and shall allow a waiver to a licensing rule or rules to persons subject to licensure in accordance with the following criteria:
- (1) Persons seeking a waiver shall submit a written request on a form developed by the licensing authority, to the licensing authority showing that another way of meeting a rule maintains the health, safety, and well-being of individuals being served at or above the level required by the rule.
 - (2) No waiver shall be allowed by the licensing authority to any rule governing fire safety, home inspection, and background checks.
 - (3) The waiver when allowed remains in effect for the term of the license and may be renewed if the licensing authority determines that the health, safety and well-being of individuals being served are not threatened.
 - (4) Upon receipt of the waiver request form, a decision to grant or deny the waiver shall be made by the licensing authority within ten business days of its receipt.
 - (5) The most commonly waived licensing rules are those related to training requirements, particularly for kinship placement and child specific licensure. These requirements cannot be waived for a family seeking a therapeutic license.