

APD Licensing Disciplinary Chart

<u>Violation</u>	<u>First Violation</u>	<u>Additional Violations</u>
	<u>Discipline may consist of one or more of the following penalties:</u>	<u>Discipline may consist of one or more of the following penalties:</u>
65G-2.002(1) <u>Unlicensed activity</u>	<ul style="list-style-type: none"> • <u>Denial of license application</u> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine of no less than \$500, and up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Denial of license application,</u> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine of no less than \$500, and up to \$1,000, per day</u>
65G-2.002(3), (4)(a), (5), (8) <u>Initial License Application</u>	<ul style="list-style-type: none"> • <u>Denial of license application</u> 	N/A
65G-2.002(3), (5), (8), (9), (10) <u>Renewal Applications</u>	<ul style="list-style-type: none"> • <u>Denial of license application,</u> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine of no less than \$500, and up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Denial of license application,</u> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine of no less than \$500, and up to \$1,000, per day</u>
65G-2.0021 <u>Change of Ownership</u>	<ul style="list-style-type: none"> • <u>Denial of license application,</u> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine of no less than \$500, and up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Denial of license application,</u> • <u>Disciplinary action up to revocation of license,</u> • <u>Fine of no less than \$500, and up to \$1,000, per day</u>
65G-2.003 (5) <u>Length of License</u>	<ul style="list-style-type: none"> • <u>Denial or revocation</u> 	N/A
65G-2.0032(4), (5), (6), (9), (10) <u>Agency Monitoring and Oversight</u>	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine of no less than \$500, and up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine of no less than \$500, and up to \$1,000, per day</u>

65G-2.004(1) <u>Failure to timely comply with a notice of noncompliance requirements</u>	<ul style="list-style-type: none"> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Fine of no less than \$500, and up to \$1,000, per day</u>
65G-2.004(2) <u>Failure to timely comply with corrective action plan requirements</u>	<ul style="list-style-type: none"> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000, per day</u>
65G-2.0041(1)(b)-(c), (5) <u>Failure to comply with the requirements of a Corrective Action Plan, settlement agreement or Plan of Remediation; failure to pay fine or adhere to disciplinary measure</u>	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine of no less than \$500, and up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000, per day</u>
65G-2.006(1)(a) <u>Licensed capacity</u>	<ul style="list-style-type: none"> • <u>Suspension or moratorium up to 3 months</u> • <u>Fine of no less than \$500, and up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Disciplinary action up to revocation</u> • <u>Suspension or moratorium up to 12 months</u> • <u>Fine up to \$1,000, per day</u>
65G-2.006(1)(d) <u>Request for capacity change must be received by Regional Office 30 days prior to change</u>	<ul style="list-style-type: none"> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Fine of no less than \$500, and up to \$1,000, per day</u>
65G-2.006(2) <u>Failure to notify the Agency regarding census changes, failure to provide or update census accordingly</u>	<ul style="list-style-type: none"> • <u>Denial of license application</u> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine of no less than \$500, and up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Denial of license application</u> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000, per day</u>
65G-2.006(3)(a) <u>Needs and Characteristics of facility residents</u>	<ul style="list-style-type: none"> • <u>Moratorium up to 3 months</u> • <u>Fine of no less than \$500, and up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000, per day</u>

65G-2.006(3)(d) <u>Licensee must request change in characteristics of those served 30 days prior to change</u>	<ul style="list-style-type: none"> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Fine of no less than \$500, and up to \$1,000</u>
65G-2.007(1)(a) - (c) <u>Facility name and identification</u>	<ul style="list-style-type: none"> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Fine of no less than \$500, and up to \$1,000, per day</u>
65G-2.007(2) <u>Lease requirements</u>	<ul style="list-style-type: none"> • <u>Application denial</u> • <u>Disciplinary action up to revocation of license</u> • <u>Moratorium for the during of the violation</u> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Application denial</u> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000, per day</u>
65G-2.007(3) <u>General physical plant requirements</u>	<ul style="list-style-type: none"> • <u>Application denial</u> • <u>Disciplinary action up to revocation of license</u> • <u>Moratorium for the during of the violation</u> • <u>Fine up to 1,000</u> 	<ul style="list-style-type: none"> • <u>Application denial</u> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000, per day</u>
65G-2.007(4)-(24)	<ul style="list-style-type: none"> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000, per day</u>
65G-2.007(25) <u>Mobile homes or manufactured homes</u>	<ul style="list-style-type: none"> • <u>Licensure Denial</u> 	<ul style="list-style-type: none"> • <u>Licensure Denial</u>
65G-2.007(26) <u>No fee for optional in-service training for family members, guardians</u>	<ul style="list-style-type: none"> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Fine up to \$1,000, per day</u>
65G-2.007(27) <u>Willful or intentional misstatements</u>	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000, per day</u>
65G-2.0071(1) – (3) Foster care facility standards	<ul style="list-style-type: none"> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Fine up to \$1,000, per day</u>

65G-2.0072(1) - (3) <u>Group home facility standards</u>	<ul style="list-style-type: none"> • <u>Denial of application or renewal</u> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Denial of application or renewal</u> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000, per day</u>
65G-2.0072(4) <u>Group home facility standards-- Designation of area office</u>	<ul style="list-style-type: none"> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Fine up to \$1,000, per day</u>
65G-2.0073(1), (2) <u>Residential Habilitation Center Standards</u>	<ul style="list-style-type: none"> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Fine up to \$1,000, per day</u>
65G-2.0074(1) <u>Adult Day Training Programs - Right to use and occupy</u>	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000, per day</u>
65G-2.0074(2)(a) – (l) <u>Adult Day Training Programs - physical site standards</u>	<ul style="list-style-type: none"> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000, per day</u>
65G-2.0074(3)-(6), (8) – (22) <u>Adult Day Training Programs –</u>	<ul style="list-style-type: none"> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000, per day</u>
65G-2.0074(7) <u>Adult Day Training Programs - Heating and cooling</u>	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000, per day</u>
65G-2.0074(23)(a)-(e), (g)-(p) <u>Adult Day Training Programs –Transportation</u>	<ul style="list-style-type: none"> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000, per day</u>
65G-2.0074(23)(f). <u>Adult Day Training Programs –Participant shall not be left unattended in vehicle</u>	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000, per day</u>

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<u>65G-2.0074(24) - (34)</u> <u>Adult Day Training Programs</u>	• <u>Fine up to \$1,000</u>	• <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000, per day</u>
<u>65G-2.008(1)</u> <u>Staffing Requirements for Residential Facilities - Adequate Staffing</u>	• <u>Fine up to \$1,000</u>	• <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000, per day</u>
<u>65G-2.008(2), (3)</u> <u>Staffing Requirements for Residential Facilities -</u>	• <u>Fine up to \$1,000</u>	• <u>Fine up to \$1,000, per day</u>
<u>65G-2.008(4)</u> <u>Staffing Requirements for Residential Facilities - Safety Standards</u>	• <u>Fine up to \$1,000</u>	• <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000, per day</u>
<u>65G-2.008(5)</u> <u>Staffing Requirements for Residential Facilities - Investigations</u>	• <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000</u>	• <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000, per day</u>
<u>65G-2.008(6), (7)</u> <u>Staffing Requirements for Residential Facilities -</u>	• <u>Fine up to \$1,000</u>	• <u>Fine up to \$1,000, per day</u>
<u>65G-2.009(1)(a)</u> <u>Resident Supervision</u>	• <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000</u>	• <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000, per day</u>

<u>65G-2.009(1)(b)</u> <u>Client Bill of Rights</u>	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000, per day</u>
<u>65G-2.009(1)(d)</u> <u>Establish, maintain, and make available house rules and regulations</u>	<ul style="list-style-type: none"> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Fine up to \$1,000, per day</u>
<u>65G-2.009(1)(e), (f)</u> <u>Facility establishment of resident government</u>	<ul style="list-style-type: none"> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Fine up to \$1,000, per day</u>
<u>65G-2.009(2)</u> <u>Facilities shall provide opportunities for residents to participate in community activities</u>	<ul style="list-style-type: none"> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Fine up to \$1,000, per day</u>
<u>65G-2.009(3) Transfer and Placement of Residents</u>	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000, per day</u>
<u>65G-2.009(4)(a)</u> <u>Resident Funds- Misuse</u>	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000, per day</u>
<u>65G-2.009(4)(b) - (k)</u> <u>Resident funds</u>	<ul style="list-style-type: none"> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Fine up to \$1,000, per day</u>
<u>65G-2.009(5)</u> <u>Resident Records</u>	<ul style="list-style-type: none"> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Fine up to \$1,000, per day</u>
<u>65G-2.009(6)</u> <u>Resident Supervision</u>	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000, per day</u>
<u>65G-2.009(7)(a), (b), (c), (e), (f)</u> <u>Video Monitoring</u>	<ul style="list-style-type: none"> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000, per day</u>

<u>65G-2.009(8)(a) Behavioral Interventions and Responses - written policies and procedures</u>	<ul style="list-style-type: none"> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Fine up to \$1,000, per day</u>
<u>65G-2.009(8)(b), (c), (d) Behavioral Interventions and Responses</u>	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000, per day</u>
<u>65G-2.009(9)(a) Sexual Activity – enforce written policy</u>	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000, per day</u>
<u>65G-2.009(9)(b) Sexual Activity – training</u>	<ul style="list-style-type: none"> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Fine up to \$1,000, per day</u>
<u>65G-2.009(9)(c) Sexual Activity - Safeguards to be implemented</u>	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000, per day</u>
<u>65G-2.009(10) Solicitation activities - authorization by client/guardian required</u>	<ul style="list-style-type: none"> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Fine up to \$1,000, per day</u>
<u>65G-2.009(11)(a), (b) First Aid</u>	<ul style="list-style-type: none"> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Fine up to \$1,000, per day</u>
<u>65G-2.009(12)(a) – (g) Medication</u>	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000, per day</u>
<u>65G-2.009(13)(a) – (c) Specialized Equipment</u>	<ul style="list-style-type: none"> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Fine up to \$1,000, per day</u>
<u>65G-2.009(14)(a) -(b), (d)- (f), (h)-(m) Transportation Facility provision of transportation</u>	<ul style="list-style-type: none"> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Fine up to \$1,000, per day</u>

65G-2.009(14)(o) <u>Encourage residents to use public transportation.</u>	<ul style="list-style-type: none"> • <u>Fine up to \$750</u> 	<ul style="list-style-type: none"> • <u>Fine up to \$1,000</u>
65G-2.009(14)(c)(g)(p) <u>Transportation-Supervision of residents, residents in seatbelts</u>	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000, per day</u>
65G-2.009(14)(q) <u>Transportation— Notification prior to facility staff taking out of the state overnight</u>	<ul style="list-style-type: none"> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Fine up to \$1,000, per day, but in no event shall the aggregate exceed \$5,000</u>
65G-2.009(15)(a), (b) <u>Communication Among Staff</u>	<ul style="list-style-type: none"> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Fine up to \$1,000, per day</u>
65G-2.010(1) <u>Fire and Emergency Procedures - Emergency Standards</u>	<ul style="list-style-type: none"> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Fine up to \$1,000, per day</u>
65G-2.010(2) <u>Fire and Emergency Procedures -</u>	<ul style="list-style-type: none"> • <u>Denial of license application and/or revocation</u> 	<ul style="list-style-type: none"> • <u>Denial of license application and/or revocation</u>
65G-2.010(3)-(6) <u>Fire and Emergency Procedures -</u>	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000, per day</u>
65G-2.015(3), (4), (6) <u>Siting</u>	<ul style="list-style-type: none"> • <u>Denial of the license application</u> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Fine up to \$1,000, per day</u>
65G-2.018(1)- (3) <u>Personal Needs Allowance</u>	<ul style="list-style-type: none"> • <u>Fine up to \$1,000</u> 	<ul style="list-style-type: none"> • <u>Disciplinary action up to moratorium, suspension, or revocation of license</u> • <u>Fine up to \$1,000, per day</u>