

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

**SESSION LAW 2001-209  
HOUSE BILL 387**

**AN ACT TO CLARIFY THE LICENSURE AND DEFINITION OF GROUP HOMES  
FOR DEVELOPMENTALLY DISABLED ADULTS.**

The General Assembly of North Carolina enacts:

**SECTION 1.(a)** G.S. 131D-2(a)(2) is repealed.

**SECTION 1.(b)** G.S. 131D-2(a)(6) is repealed.

**SECTION 1.(c)** G.S. 131D-20(6) is repealed.

**SECTION 2.** The licensure of a group home for developmentally disabled adults pursuant to Article 1 of Chapter 131D of the General Statutes shall be transferred to licensure as a supervised living facility for developmentally disabled adults under G.S. 122C-3(14)e. A supervised living facility for developmentally disabled adults licensed under this section shall:

- (1) Except as otherwise provided in this section, comply with licensure requirements of Article 2 of Chapter 122C of the General Statutes;
- (2) Within 12 months of the effective date of this act, comply with building code requirements for smoke detectors;
- (3) Comply either with categories of existing rules applicable to group homes for developmentally disabled adults adopted under Article 1 of Chapter 131D of the General Statutes, or with categories of existing rules applicable under G.S. 122C-3(14)e., at the option of the supervised living facility; and
- (4) Be subject to adverse action on a license under G.S. 122C-24 for failure to comply with applicable statutes or rules.

A group home for developmentally disabled adults licensed under Article 1 of Chapter 131D of the General Statutes and transferred to licensure under G.S. 122C-3(14)e. shall be deemed to have met the building code requirements for licensure as a supervised living facility.

The Department of Health and Human Services' Division of Facility Services and Division of Mental Health, Developmental Disabilities, and Substance Abuse Services shall designate the categories of existing rules applicable to the supervised living facility option under this section.

**SECTION 3.** G.S. 108A-41(a) reads as rewritten:

"(a) Assistance shall be granted under this Part to all persons in adult care homes for care found to be essential in accordance with the rules and regulations adopted by the Social Services Commission and prescribed by G.S. 108A-42(b). As used in this Part, the term 'adult care home' includes a supervised living facility for developmentally disabled adults licensed under Article 2 of Chapter 122C of the General Statutes."

**SECTION 4.** G.S. 58-55-35(a)(6) reads as rewritten:

"(6) ~~'Group home for developmentally disabled adults' shall be defined in accordance with the terms of G.S. 131D-2(a)(6). 'Supervised living facility for developmentally disabled adults' means a residential facility, as defined in G.S. 122C-3(14), which has two to nine developmentally disabled adult residents.'~~"

**SECTION 5.** This act is effective when it becomes law.  
In the General Assembly read three times and ratified this the 5<sup>th</sup> day of June,  
2001.

s/ Beverly E. Perdue  
President of the Senate

s/ James B. Black  
Speaker of the House of Representatives

s/ Michael F. Easley  
Governor

Approved 1:52 p.m. this 15<sup>th</sup> day of June, 2001