

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001

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SENATE BILL 937

Short Title: C.O.N.-Adult Care Homes Regulated.

(Public)

Sponsors: Senator Purcell.

Referred to: Health Care.

April 5, 2001

1 A BILL TO BE ENTITLED  
2 AN ACT TO REGULATE THE DEVELOPMENT OF ADULT CARE HOMES  
3 UNDER THE CERTIFICATE OF NEED LAW.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 131E-175 reads as rewritten:

6 "§ 131E-175. Findings of fact.

7 The General Assembly of North Carolina makes the following findings:

8 ...

9 (8) That because State and county expenditures are made to provide  
10 support for nearly three-quarters of the residents in adult care homes, it  
11 is in the public interest to promote efficiencies in delivering care in  
12 those facilities by controlling and directing their growth in an effort to  
13 prevent underutilization and higher costs and provide appropriate  
14 geographical distribution."

15 SECTION 2. G.S. 131E-176 reads as rewritten:

16 "§ 131E-176. Definitions.

17 As used in this Article, unless the context clearly requires otherwise, the following  
18 terms have the meanings specified:

19 ...

20 (9b) "Health service facility" means a hospital; psychiatric facility;  
21 rehabilitation facility; ~~long term care facility;~~ nursing care facility;  
22 adult care home; kidney disease treatment center, including  
23 freestanding hemodialysis units; intermediate care facility for the  
24 mentally retarded; home health agency office; chemical dependency  
25 treatment facility; diagnostic center; oncology treatment center;  
26 hospice, hospice inpatient facility, hospice residential care facility; and  
27 ambulatory surgical facility.

1 (9c) "Health service facility bed" means a bed licensed for use in a health  
2 service facility in the categories of (i) acute care beds; (ii) psychiatric  
3 beds; (iii) rehabilitation beds; (iv) nursing care beds; (v) intermediate  
4 care beds for the mentally retarded; (vi) chemical dependency  
5 treatment beds; (vii) hospice inpatient facility beds; ~~and~~ (viii) hospice  
6 residential care facility ~~beds~~beds; and (ix) home for the aged and  
7 disabled beds.

8 ...

9 (12a) "Adult care home" means a facility with seven or more beds licensed  
10 under G.S. 131D-2 which provides residential care for aged or  
11 disabled persons whose principal need is a home which provides the  
12 supervision and personal care appropriate to their age and disability  
13 and for whom medical care is only occasional or incidental.

14 ...

15 (14d) ~~"Long term care facility" means a health service facility whose bed~~  
16 ~~complement of health service facility beds is composed principally of~~  
17 ~~nursing care facility beds.~~

18 ...

19 (17b) "Nursing care facility" means a health service facility whose bed  
20 complement of health service facility beds is composed principally of  
21 nursing care facility beds.

22 ...."

23 **SECTION 3.** There is established a moratorium on the development or  
24 offering of any new adult care home beds from the date of ratification of this act until  
25 January 1, 2002.

26 **SECTION 4.** This act is effective when it becomes law.