

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

SESSION LAW 2011-389
HOUSE BILL 678

AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, IN COLLABORATION WITH THE DEPARTMENT OF CORRECTION, TO ESTABLISH A PILOT PROGRAM TO ALLOW CERTAIN INMATES RELEASED FROM CONFINEMENT TO BE PLACED IN ADULT CARE HOMES TO RECEIVE PERSONAL CARE SERVICES AND MEDICATION MANAGEMENT.

The General Assembly of North Carolina enacts:

SECTION 1. The Department of Health and Human Services, in collaboration with the Department of Correction, shall establish a pilot program to allow certain inmates released from confinement pursuant to G.S. 148-4 or Article 84B of Chapter 15A of the General Statutes, who have been determined by the Department of Correction to be in need of personal care services and medication management, to be placed in an adult care home licensed under Article 1 of Chapter 131D of the General Statutes. The purpose of the pilot program is to determine if placing this population of released inmates in an adult care home provides the State with a lower cost alternative to providing for their care upon release from confinement without jeopardizing the health and safety of the inmates or the public. The Department of Health and Human Services shall select one adult care home to participate in the pilot program. The selected adult care home is prohibited from having or admitting any residents other than the inmates selected to participate in the pilot program. The Secretary of Health and Human Services may waive any rule adopted under Article 1 or Article 3 of Chapter 131D of the General Statutes as necessary to protect the public health and safety.

SECTION 2. Not later than 18 months after the participating adult care home admits its first resident in accordance with the pilot program established under Section 1 of this act, the Department of Health and Human Services and the Department of Correction shall report their findings and recommendations to the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee. The report shall include an analysis of the costs and benefits of allowing this population of released inmates to be placed in an adult care home setting as compared to continuing their incarceration in a unit of the State prison system.

SECTION 3. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 16th day of June, 2011.

s/ Walter H. Dalton
President of the Senate

s/ Thom Tillis
Speaker of the House of Representatives

This bill having been presented to the Governor for signature on the 17th day of June, 2011 and the Governor having failed to approve it within the time prescribed by law, the same is hereby declared to have become a law. This 28th day of June, 2011.

s/ Karen Jenkins
Enrolling Clerk

