

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H.B 1028
May 3, 2016
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40565-THz-14* (01/14)

Short Title: SOG Pilot Project Standards/Overnight Respite. (Public)

Sponsors: Representative Horn.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE SCHOOL OF GOVERNMENT AT THE UNIVERSITY OF NORTH CAROLINA TO COORDINATE A WORKING GROUP CHARGED WITH DEVELOPING STANDARDS FOR STATE AGENCIES TO USE WHEN DESIGNING AND IMPLEMENTING PILOT PROJECTS MANDATED BY THE GENERAL ASSEMBLY, TO REQUIRE THE OFFICE OF STATE BUDGET AND MANAGEMENT TO ADOPT RULES IMPLEMENTING THOSE STANDARDS, TO REPEAL THE PROGRAM EVALUATION DIVISION STUDY OF OVERNIGHT RESPITE SERVICES, AND TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REPORT ON OVERNIGHT RESPITE SERVICES TO THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

The General Assembly of North Carolina enacts:

SECTION 1.(a) The School of Government at the University of North Carolina at Chapel Hill (SOG) shall conduct research on existing evaluation standards and identify approaches for designing projects that collect appropriate and adequate data for sound evaluation of pilot projects. The SOG shall submit a preliminary report summarizing the research findings to the Joint Legislative Program Evaluation Oversight Committee, the Director of the Program Evaluation Division, and the Office of State Budget and Management by December 1, 2016. The Joint Legislative Program Evaluation Oversight Committee shall provide feedback to the SOG on the preliminary report.

SECTION 1.(b) The SOG shall coordinate a working group charged with developing standards for State agencies to use when designing and implementing pilot projects mandated by the General Assembly. The working group shall include representatives from State agencies and the constituent institutions of The University of North Carolina. The working group shall submit a report describing the proposed standards to the Joint Legislative Program Evaluation Oversight Committee, the Director of the Program Evaluation Division, and the Office of State Budget and Management by December 1, 2017.

SECTION 1.(c) The Legislative Services Commission, through the Legislative Services Officer, may allow the working group to hold meetings in the State Legislative Building or the Legislative Office Building.

SECTION 1.(d) There is appropriated from the General Fund to the School of Government at the University of North Carolina at Chapel Hill the sum of one hundred fifty thousand dollars (\$150,000) for the 2016-2017 fiscal year for the purpose of implementing the requirements of this act. These funds shall not revert at the end of the 2016-2017 fiscal year but



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1 shall remain available during the 2017-2018 fiscal year for expenditure in accordance with this
2 act.

3 **SECTION 2.** Article 10 of Chapter 143 of the General Statutes is amended by adding
4 a new section to read:

5 **"§ 143-162.3. Pilot project standards.**

6 (a) Pilot Project Standards. – The Office of State Budget and Management shall adopt
7 rules to implement standards proposed by the School of Government to guide evaluation of State
8 agency pilot projects and shall report to the Joint Legislative Program Evaluation Oversight
9 Committee upon adoption of the rules as provided in this subsection. The standards proposed by
10 the School of Government shall, at a minimum, offer a range of options for designing evaluations
11 of pilot projects that take into consideration the agency's available resources and time.

12 (b) Requirement. – Unless specifically exempted by law, all departments, agencies,
13 bureaus, divisions, and institutions of the State shall conduct and complete pilot projects required
14 by law by the General Assembly, in accordance with the rules adopted by the Office of State
15 Budget and Management in subsection (a) of this section.

16 (c) Updates. – The School of Government may prepare proposed updates to the rules
17 established for pilot projects in subsection (a) of this section as it deems necessary. Proposed
18 updates shall be presented to the Office of State Budget and Management for review and adoption.
19 The Office of State Budget and Management shall report to the Joint Legislative Program
20 Evaluation Oversight Committee on any changes to the rules as provided in this subsection. The
21 School of Government shall publish proposed updates to the rules on its Web site at least 90 days
22 before the proposed rules are submitted to the Office of State Budget and Management.

23 (d) As used in this section, "School of Government" shall mean the School of Government
24 at the University of North Carolina at Chapel Hill."

25 **SECTION 3.** Section 1 of S.L. 2015-52 is repealed.

26 **SECTION 4.** The Department of Health and Human Services, Division of Health
27 Service Regulation, shall report on the status of the overnight respite licensure process established
28 pursuant to G.S. 131D-6.1. An interim report shall be made to the Joint Legislative Oversight
29 Committee on Health and Human Services no later than September 1, 2016, and a final report no
30 later than September 1, 2017. Each report shall include all of the following information:

- 31 (1) Status of the licensure process and the development of rules.
- 32 (2) Status of adding adult day care overnight respite as a service category under the
33 Home and Community Care Block Grant.
- 34 (3) Status of amending the innovations waiver and the North Carolina Community
35 Alternatives Program for Disabled Adults (CAP/DA) waiver to allow the
36 provision of facilities licensed to provide overnight respite in adult day health
37 services.
- 38 (4) Forecasted and actual utilization rates for overnight respite.
- 39 (5) Any other findings and recommendations.

40 **SECTION 5.** Section 1(d) of this act becomes effective July 1, 2016. The
41 requirements of G.S. 143-162.3(b), as enacted by this act, shall apply to pilot projects initially
42 enacted by the General Assembly on or after June 1, 2018. The remainder of this act is effective
43 when it becomes law and applies to rules adopted on or after that date.