

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015**

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HOUSE BILL 1028*

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

Sponsors: Representative Horn.

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Appropriations

May 4, 2016

A BILL TO BE ENTITLED

1
2 AN ACT TO REQUIRE THE SCHOOL OF GOVERNMENT AT THE UNIVERSITY OF
3 NORTH CAROLINA TO COORDINATE A WORKING GROUP CHARGED WITH
4 DEVELOPING STANDARDS FOR STATE AGENCIES TO USE WHEN DESIGNING
5 AND IMPLEMENTING PILOT PROJECTS MANDATED BY THE GENERAL
6 ASSEMBLY, TO REQUIRE THE OFFICE OF STATE BUDGET AND MANAGEMENT
7 TO ADOPT RULES IMPLEMENTING THOSE STANDARDS, TO REPEAL THE
8 PROGRAM EVALUATION DIVISION STUDY OF OVERNIGHT RESPITE SERVICES,
9 AND TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO
10 REPORT ON OVERNIGHT RESPITE SERVICES TO THE JOINT LEGISLATIVE
11 OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES, AS
12 RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION
13 OVERSIGHT COMMITTEE.

14 The General Assembly of North Carolina enacts:

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

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

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

33 **SECTION 1.(d)** There is appropriated from the General Fund to the School of
34 Government at the University of North Carolina at Chapel Hill the sum of one hundred fifty
35 thousand dollars (\$150,000) for the 2016-2017 fiscal year for the purpose of implementing the



1 requirements of this act. These funds shall not revert at the end of the 2016-2017 fiscal year but
2 shall remain available during the 2017-2018 fiscal year for expenditure in accordance with this
3 act.

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

6 "**§ 143-162.3. Pilot project standards.**

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

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

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

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

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

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

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

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