

March 22, 1999

H 512. ASSISTED LIVING ADMINISTRATORS. TO LICENSE ASSISTED LIVING RESIDENCE ADMINISTRATORS. Adds new Art. 20A to GS Ch. 90 for purpose indicated in title. Creates NC Board of Examiners for Assisted Living Residence Administrators (hereafter, Board) to consist of nine members serving staggered three-year terms after serving initial terms of varied lengths, as specified in act. General Assembly, on recommendation of Senate President Pro Tempore, to appoint three Board members with qualifications as specified in act, and on recommendation of House Speaker, to appoint three Board members with qualifications as specified in act. Governor to appoint three Board members with qualifications as specified in act. No member may serve more than two consecutive terms.

Specifies Board's powers and duties, which include (1) examining and determining qualifications and fitness of applicants for licensure and renewal; (2) issuing, renewing, denying, suspending, or revoking licenses and conducting disciplinary actions; (3) setting fees for licensure and licensure renewal; and (4) establishing and approving continuing education requirements for licensees.

Sets out qualifications for person to be licensed as assisted living residence administrator, defined as individual who operates, administers, manages, and supervises assisted living residence, or shares in performing these duties with another person licensed by Board. Qualifications include successfully completing Board-administered examination and administrator-in-training program prescribed by Board. Allows Board to grant licensure by reciprocity with another state, as specified in act. Sets out qualifications for person to be licensed as supervisor-in-charge, defined as individual who (i) performs management responsibilities in assisted living residence during absence of licensed assisted living residence administrator, or (ii) performs specific management responsibilities in assisted living residence on daily basis. Qualifications include: (1) submitting proof of employment as supervisor-in-charge on or before Dec. 31, 1999, or proof that person has high school diploma or equivalent; and (2) demonstrating to assisted living residence administrator at facility where applicant will be employed that applicant possesses skills to perform duties of supervisor-in-charge.

Provides that Board may establish fees up to maximums set out in act. Sets out grounds for suspension, revocation, and refusal to renew license. Provides that person who violates act's provisions is guilty of Class 1 misdemeanor. Adds new GS 114-4.2H to provide that Att'y General is authorized to designate att'y from staff to specialize in law of elderly; that att'y is to serve as advisor to Board. Makes conforming changes in GS 131D-2(a). Provides that notwithstanding act's provisions, Board may grant license to practice as assisted living residence administrator to person who is actively engaged as an administrator and is registered with Div'n of Facility Services on or before Dec. 1, 1999. Effective July 1, 1999, appropriates \$250,000 for 1999-2000 from General Fund to Board for operating expenses.

Intro. by Clary.

Ref. to Finance

GS 90, 114, 131D, APPROP

April 21, 1999

H 512. ASSISTED LIVING ADMINISTRATORS. Intro. 3/22/99. House committee substitute makes the following changes to 1st edition. Revises proposed GS 90-288.12 to exempt certain facilities including hospitals, nursing homes, family care homes, and continuing care facilities. Deletes provisions regarding board of examiners. Deletes provisions regarding licensure of "supervisor in charge." Rewrites proposed GS 90-288.14 to allow DHHS to promulgate rules and regulations for the operation of adult care homes. Amends qualifications required to obtain an assisted living administrator license such that a criminal background report is required and an administrator training program is eliminated. Provides that license will expire on December 31 of the second year following issuance and may be renewed upon the licensee's completion of annual continuing education requirements. Adds provision requiring a licensee to report incidents of suspected abuse, neglect or exploitation of persons residing in an assisted living residence. Amends definition of adult care home in GS 131D-2(a)(1b) to delete reference to licensure by the DHHS Division of Facility Services. Deletes appropriation.

April 28, 1999

H 512. ASSISTED LIVING ADMINISTRATORS. Intro. 3/22/99. House committee substitute makes the following changes to 2nd edition. Changes program from one of licensure to certification and makes conforming changes throughout the act. Exempts from the act combination homes as defined in GS 131E-101 and hospitals that contain adult care beds and continuing care facilities only if adult care beds are housed in the same facility as nursing home beds. Deletes proposed GS 90-288.14, which would have authorized DHHS to promulgate rules for the operation of adult care homes. Changes effective date to Jan. 1, 2000.

May 19, 1999

H 512. ASSISTED LIVING ADMINISTRATORS. Intro. 3/22/99. Senate committee substitute makes the following changes to 2nd edition. Makes no substantive change.

July 14, 1999

H 512. ASSISTED LIVING ADMINISTRATORS. Intro. 3/22/99. Senate amendment makes the following changes to 4th edition. Specifies that a petition for a contested case is to be filed within 30 (was, 20) days after the Dep't of Health and Human Services mails the holder of an assisted living administrator certificate a notice of its decision to deny a renewal application, or to recall, suspend, or revoke an existing certificate. Amends exemption provision as follows. Requires Dep't to grant, prior to Dec. 31, 1999, a certificate to practice as an assisted living administrator in NC, to a person who has been actively engaged as such an administrator for at least one (was, two) years. Specifies that any person who has been actively engaged as such an administrator for less than one (was, two) years must satisfactorily complete a Dep't-administered exam before issuance of a license.