

March 17, 2005

**H 782. FACILITY QUALITY & SAFETY IMPROVEMENT-HHS. TO MAKE STATUTORY CHANGES TO IMPROVE QUALITY AND SAFETY IN HOME CARE SERVICES, MENTAL HEALTH FACILITIES, ADULT CARE HOMES, AND CERTAIN HOSPITAL FACILITIES.** Amends GS 131E-140 to require that NC Medical Care Comm'n establish minimum training and education qualifications and professional requirements for home care agency staff, and to require that Comm'n adopt rules for prohibiting licensed home care agencies. Enacts new GS 131E-141(c), GS 122C-25(d), and GS 131D-2(j) to require that home care agencies, mental health facilities, and adult care homes provide clients with a written notice of the Div'n of Facility Services hotline number. Amends GS Chapter 122, Article 1 (Licensure of adult care homes) to require that Department of Health and Human Services issue new facility license for six months and extend license for balance of calendar year if facility complies with Articles 1 and 3 of Chapter. Amends GS 131D-2(b)(1a) to require that Div'n inspect all adult care homes and adult care units in nursing homes annually beginning July 1, 2007; that county social service dep'ts document all on-site visits and submit reports to the Div'n of Facility Services with 15 working days of visit; that Div'n conduct annual and quarterly reviews of county dep'ts of social services; and that county dep't adult home specialists and supervisors complete specified training. Makes changes to GS Chapter 122, Article 2 (Licensure of mental health facilities) to provide that initial licenses are valid for up to 15 months and must be renewed annually (was, licenses valid for up to two years), and authorizing issuance of a provisional license for up to six months. Amends GS 122C-24.1 (mental health facilities) and GS 131D-34 (adult care homes) to increase minimum penalty for Type A facility violations from \$250 to \$500 and maximum penalty from \$5,000 to \$10,000 for facilities serving six (was, nine) or fewer persons and minimum from \$500 to \$1,000 and maximum from \$10,000 to \$20,000 for facilities that serve seven or more persons. Also increases penalty for a failure to correct a Type B violation from \$200 to \$400 each day violation continues, and from \$500 to \$1,000 each day for adult care home's failure to correct a Type A violation. Also authorizes Dep't to impose civil penalty against applicant for adult care home licensure that falsifies information on application. Deletes GS 131D-34(h) (establishing penalty review committee). Makes conforming changes.

**Intro. by Wright.**

Ref. to Finance

GS 122C, 131D, 131E