

February 3, 2005

S 42. HOME CARE CHANGES. *TO MAKE CHANGES TO THE HOME CARE AGENCY LICENSURE ACT, TO ESTABLISH HOME CARE CLIENTS' RIGHTS, AND TO APPROPRIATE FUNDS TO INCREASE THE SURVEY CYCLE FOR LICENSED IN-HOME AGENCIES, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.* Enacts new GS Ch. 131E, Art. 6, Part 3A, effective Jan. 1, 2006. States several rights possessed by home care clients, including the rights to be informed of and participate in their care and be treated with dignity and respect, to receive adequate care, to receive a written statement of services and charges, and to be notified with 10 days of the suspension or revocation of home care agency's license. New GS 131E-144.4 requires that home care agency provide clients with a copy of a declaration of rights and the address and telephone number where questions and complaints can be directed to the agency, the Dep't of Health and Human Services (DHHS), or county social services, and further requires that agency retain written acknowledgement of this information by client. New GS 131E-144.6 requires that DHHS enforce new provisions and initiate investigations of complaints within two weeks, with shorter investigation deadlines for complaints involving abuse and neglect. Further requires that agency investigate complaints from client or client's family within 72 hours and document complaint and its resolution. New GS 131E-144.7 authorizes DHHS to inspect agency medical records in connection with a complaint and requires that DHHS maintain the confidentiality of complaints and medical records, but allows access to such information upon written authorization of client or legal representative. Amends GS 131E-136 to add definitions for "geographic service area," "home care agency director," and "home care client." Effective July 1, 2005, appropriates \$550,000 for 2005-06 and \$550,000 for 2006-07 from General Fund to DHHS, Div'n of Facility Services, to increase the home care agency survey cycle to every two years. Requires that DHHS study whether additional health care facilities and personnel should be added to the Health Care Personnel Registry and listed in GS 131E-256, and that DHHS report its finding to the NC Study Comm'n on Aging by Dec. 1, 2005.

Intro. by Swindell.

Ref. to Health Care

GS 131E, APPROP, STUDY

June 1, 2005

S 42. HOME CARE CHANGES. Intro. 3/3/05. Senate committee substitute makes the following changes to 1st edition. Removes requirement that NC Medical Care Commission adopt rules defining geographic services areas and staffing qualifications for licensed home care agencies and prohibiting those agencies from hiring persons listed on the registry created pursuant to GS 131E-256. Adds requirement to adopt rules limiting advertising by home care agencies. Deletes changes to definitions in GS 131E-136 and deletes appropriation.