

April 3, 2007

H 1294. NO SMOKING/LTC FACILITIES. Filed 4/3/07. *TO PROHIBIT SMOKING INSIDE LONG-TERM CARE FACILITIES.*

Amends GS 131D-4.4, enacts new GS 131E-114.3, and enacts new GS 122C-6 to prohibit smoking inside *long-term care facilities*, defined to include adult care homes, nursing homes, skilled nursing facilities, facilities licensed under GS Chapter 122C (Mental Health, Developmental Disabilities, and Substance Abuse Act of 1985), state psychiatric hospitals, and other licensed facilities providing long-term care services. Requires the owner, manager, or operator of a long-term care facility to post *no smoking* signs and direct anyone smoking inside of the facility to extinguish smoking products. Allows the Department of Health and Human Services (DHHS) to impose a penalty for each violation by the owner, manager, or operator of a long-term care facility, not to exceed \$200 for each violation. Enacts new GS 131E-143 directing home care agencies to prohibit employees from smoking while providing services to a client in the client's home and inform its clients that employees are prohibited from doing so. Authorizes DHHS to impose a penalty on a person owning, managing, or operating a home care agency who fails to comply not to exceed \$200 for each violation.

Intro. by Howard, Justice.

GS 122C, 131D, 131E

April 26, 2007

H 1294. NO SMOKING/LTC FACILITIES. Filed 4/3/07. House committee substitute makes the following changes to 1st edition. Modifies proposed GS 131D-4.4(c), GS 131E-114.3(b), and GS 122C-6(b) to require individuals who own, manage, operate, or control long-term care facilities or state psychiatric hospitals to provide written notice to individuals when they are admitted, stating that smoking is prohibited inside the facility and requiring the individual's signature acknowledging receipt of the notice. Amends the effective date to provide that this new notice requirement applies to individuals admitted to the facility on or after the act's effective date.

May 10, 2007

H 1294. NO SMOKING/LTC FACILITIES. Filed 4/3/07. House committee substitute makes the following changes to 2nd edition. Modifies GS 131D-4.4, proposed GS 131E-114.3, and proposed GS 122C-6 to define *inside* as a fully enclosed area.

July 11, 2007

H 1294. NO SMOKING/LTC FACILITIES. Filed 4/3/07. Senate committee substitute makes the following changes to 3rd edition. Modifies the proposed smoking restrictions in GS 131D-4.4, new GS 131E-114.3, new GS 122C-6, and new GS 131E-143 to clarify that a violation is a civil offense only and not a crime. Changes the effective date from when the act becomes law to October 1, 2007.

July 18, 2007

H 1294. NO SMOKING/LTC FACILITIES. Filed 4/3/07. Senate amendment makes the following changes to 4th edition. Removes state psychiatric hospitals from the bill. Provides that any violation of the smoking prohibitions in the bill is not a crime.

July 30, 2007

H 1294. NO SMOKING/LTC FACILITIES. Filed 4/3/07. Conference report recommends the following changes to 5th edition to reconcile matters in controversy. Effective January 1, 2008, amends GS 130A-493(c) as enacted by SL 2007-193, to direct that the person who owns, manages, operates, or otherwise controls a state psychiatric hospital is to (1) require any person who is smoking inside the facility to extinguish the smoking product, and (2) provide written notice to individuals when admitted that smoking is not allowed within the facility and obtain the signature of the individual or the individual's representative acknowledging receipt of the notice. Effective for individuals admitted to the hospital on or after January 1, 2008.

September 4, 2007

SL 2007-459 (H 1294). NO SMOKING/LONG-TERM CARE FACILITIES. AN ACT TO PROHIBIT SMOKING INSIDE LONG-TERM CARE FACILITIES. Summarized in *Daily Bulletin* 4/3/07, 4/26/07, 5/10/07, 7/11/07, 7/18/07, and 7/30/07. Enacted August 28, 2007. Effective October 1, 2007. GS 130A-493(c)(2), as enacted by this act, applies to individuals admitted to the hospital on or after January 1, 2008.