

February 1, 2007

**S 56. PENALTY REVIEW COMMITTEE CHANGES.** Filed 2/1/07. *TO AMEND THE PENALTY REVIEW COMMITTEE PROCESS, AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION ON AGING.* Amends GS 131D-34(h) guidelines regarding public notice requirements and meeting schedules for penalty review committee meetings. Requires all members of the penalty review committee to complete a training program provided by the Department of Health and Human Services. Effective October 1, 2007.

**Intro. by Bingham.**

GS 131D

July 11, 2007

**S 56. PENALTY REVIEW/LTC CHANGES (NEW).** Filed 2/1/07. House committee substitute makes the following changes to 1st edition. Effective January 1, 2008, amends GS 131E-256, Health Care Personnel Registry, as follows. Adds the following to the definition of *health care facilities*: (1) licensable facilities; (2) multiunit assisted housing with services; (3) community-based providers of services for the mentally ill, the developmentally disabled, and substance abusers that are not required to be licensed under Article 2 of GS Chapter 122C; and (4) agencies providing in-home aide services funded through the home and community care block grant program. Amends the term *health care personnel* to include any unlicensed staff of a health care facility that has direct access to residents, clients, or their property. Reorganizes subdivision (a)(1).

Amends GS 131D-4.5 to require the Medical Care Commission to adopt rules for the issuance of certificates to adult care homes. Enacts new GS 131D-10 setting the minimum standards for ratings included in rules for the issuance of certificates to adult care homes. Certificates are to be issued beginning January 1, 2009. Sets procedures for awarding initial ratings, and for how penalties affect ratings. Requires adult care homes to display the rating certification in a location where it can be seen by the public. Requires the Department of Health and Human Services (DHHS), Division of Health Services Regulation, to make information available on its website and in on-site material concerning quality improvement efforts that have been undertaken by the facility. Requires DHHS to provide a copy of emergency, temporary, and permanent rules to the NC Study Commission on Aging (Aging) when DHHS submits the adopted rules for review to the Rules Review Commission. Requires DHHS, Divisions of Health Services Regulation, Aging and Adult Services, and Medical Assistance to study the structure and costs of a system to reward adult care homes that receive high ratings and report to Aging by March 1, 2008. States the General Assembly's intent to provide funding for technical assistance to adult care homes for the 2008-09 fiscal year. Requires DHHS Division of Health Services Regulation and Division of Aging and Adult Services to study expanding the rated certificate system to other facilities and services and report to Aging by October 1, 2009. Also requires the Division of Health Services Regulation to make an interim report on the implementation of the rated certificate system to Aging by October 1, 2009, and a final report by October 1, 2010. Amends the title.

July 25, 2007

**S 56. PENALTY REVIEW/LTC CHANGES.** Filed 2/1/07. Conference report makes no changes to 2nd edition to reconcile matters in controversy.

September 4, 2007

**SL 2007-544 (S 56). PENALTY REVIEW/LTC CHANGES.** *AN ACT TO AMEND THE PENALTY REVIEW COMMITTEE PROCESS, EXPAND THE HEALTH CARE PERSONNEL REGISTRY AND AUTHORIZE THE MEDICAL CARE COMMISSION TO ADOPT RULES ALLOWING THE ISSUANCE OF RATED CERTIFICATES TO ADULT CARE HOMES.* Summarized in *Daily Bulletin* 2/1/07, 7/11/07, and 7/25/07. Enacted August 31, 2007. Section 1 is effective October 1, 2007. Section 2 is effective January 1, 2008. Certificates authorized under Section 3 will be issued beginning January 1, 2009. The remainder is effective August 31, 2007.