

March 12, 2009

H 576. ALLOW LMES TO INSPECT MH/DD/SA FACILITIES. Filed 3/12/09. *TO EMPOWER AUTHORIZED REPRESENTATIVES OF LOCAL MANAGEMENT ENTITIES TO INSPECT LICENSED FACILITIES THAT PROVIDE MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.*

Amends various sections of GS Chapter 122C to allow representatives of local management entities to inspect licensed facilities and have access to confidential medical and personnel records in the course of the inspection. Representatives must be authorized by the area director to conduct such inspections and must keep information obtained in the course of the inspection confidential. Previously, the law allowed only representatives of the Department of Health and Human Services to conduct such inspections.

Intro. by Braxton.

GS 122C

April 2, 2009

H 576. REMOVE ENDORSEMENT FOR DENIED ACCESS LME (NEW). Filed 3/12/09. House committee substitute makes the following changes to 1st edition.

Replaces the 1st edition with *AN ACT TO AUTHORIZE LOCAL MANAGEMENT ENTITIES TO REMOVE A PROVIDER'S ENDORSEMENT FOR FAILING TO ALLOW ACCESS FOR MONITORING PURPOSES.*

Amends GS 122C-115.4(b) as the title indicates. Provides that if a Local Management Entity (LME) has reasonable cause to believe that a violation of licensure rules has occurred, the LME is to make a referral to the Division of Health Service Regulation. Directs an LME to make a referral to the local Department of Social Services, Child Protective Services, or Adult Protective Services Program if an LME has reasonable cause to believe that a client has been abused, neglected, or exploited. Makes organizational changes.

May 12, 2009

H 576. REMOVE ENDORSEMENT FOR DENIED ACCESS LME. Filed 3/12/09. House committee substitute makes the following changes to 2nd edition. Rewrites the title as: *AN ACT TO CLARIFY THAT A LOCAL MANAGEMENT ENTITY'S AUTHORITY INCLUDES THE RIGHT OF ACCESS TO A PROVIDER FOR MONITORING AND IN RESPONSE TO COMPLAINTS OR EMERGENCIES AND TO CLARIFY THAT A LOCAL MANAGEMENT ENTITY MAY REMOVE A PROVIDER'S ENDORSEMENT IF ACCESS FOR THESE PURPOSES IS DENIED.* Amends GS 122C-115.4(b) to provide that an LME may remove a provider's endorsement if the provider fails to allow the LME access in the event of an emergency or in response to a complaint related to the health or safety of a patient. Makes technical changes.

June 29, 2009

SL 2009-189 (H 576). REMOVE ENDORSEMENT FOR DENIED ACCESS LME. AN ACT TO CLARIFY THAT A LOCAL MANAGEMENT ENTITY'S AUTHORITY INCLUDES THE RIGHT OF ACCESS TO A PROVIDER FOR MONITORING AND IN RESPONSE TO COMPLAINTS OR EMERGENCIES AND TO CLARIFY THAT A LOCAL MANAGEMENT ENTITY MAY REMOVE A PROVIDER'S ENDORSEMENT IF ACCESS FOR THESE PURPOSES IS DENIED. Summarized in *Daily Bulletin* 4/2/09 and 5/12/09. Enacted June 26, 2009. Effective June 26, 2009.