

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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HOUSE BILL 1186  
PROPOSED COMMITTEE SUBSTITUTE H1186-PCS50581-SH-29

Short Title: DHHS/Update Current Inspection Practices.-AB

(Public)

Sponsors:

Referred to:

April 8, 2009

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE COUNTY DEPARTMENTS OF SOCIAL SERVICES TO  
CONDUCT FOLLOW-UP MONITORING OF ADULT CARE HOMES TO ENSURE  
COMPLIANCE WITH STATE AND FEDERAL LAW.

The General Assembly of North Carolina enacts:

**SECTION 1.(a)** G.S. 131D-2(b)(1a)b. reads as rewritten:

"...

(b) Licensure; inspections. –

...

(1a) In addition to the licensing and inspection requirements mandated by  
subdivision (1) of this subsection:

a. The Department shall ensure that adult care homes required to be  
licensed by this Article are monitored for licensure compliance on a  
regular basis. All facilities licensed under this Article and adult care  
units in nursing homes are subject to inspections at all times by the  
Secretary. The Division of Health Service Regulation shall inspect all  
adult care homes and adult care units in nursing homes on an annual  
basis, effective July 1, 2007, and thereafter. In addition, the  
Department shall ensure that adult care homes are inspected every  
two years to determine compliance with physical plant and life-safety  
requirements.

b. The Department shall work with county departments of social  
services to do the routine monitoring in adult care homes to ensure  
compliance with State and federal laws, rules, and regulations in  
accordance with policy and procedures established by the Division of  
Health Service Regulation and to have the Division of Health Service  
Regulation oversee this ~~monitoring and perform any required  
follow-up inspection monitoring~~. The county departments of social  
services shall document in a written report all on-site visits, including  
monitoring visits, revisits, and complaint investigations. The county  
departments of social services shall submit to the Division of Health  
Service Regulation written reports of each facility visit within 20  
working days of the visit.

...."



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1           **SECTION 1.(b)** If House Bill 456, 2009 Regular Session, becomes law, this  
2 section is repealed.

3           **SECTION 2.** If House Bill 456, 2009 Regular Session, becomes law,  
4 G.S. 131D-2.11(b) reads as rewritten:

5 "**§ 131D-2.11. Inspections, monitoring, and review by State agency and county**  
6 **departments of social services.**

7           ...

8           (b) Monitoring by County. – The Department shall work with county departments of  
9 social services to do the routine monitoring in adult care homes to ensure compliance with  
10 State and federal laws, rules, and regulations in accordance with policy and procedures  
11 established by the Division of Health Service Regulation and to have the Division of Health  
12 Service Regulation oversee this monitoring. ~~monitoring and perform any required follow up~~  
13 ~~inspection.~~ The county departments of social services shall document in a written report all on  
14 site visits, including monitoring visits, revisits, and complaint investigations. The county  
15 departments of social services shall submit to the Division of Health Service Regulation written  
16 reports of each facility visit within 20 working days of the visit."

17           **SECTION 3.** This act is effective when it becomes law.