

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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HOUSE BILL 1186  
Committee Substitute Favorable 4/23/09  
PROPOSED SENATE COMMITTEE SUBSTITUTE H1186-PCS50739-SQ-59

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

(Public)

Sponsors:

Referred to:

April 8, 2009

1 A BILL TO BE ENTITLED  
2 AN ACT TO AUTHORIZE COUNTY DEPARTMENTS OF SOCIAL SERVICES TO  
3 CONDUCT FOLLOW-UP MONITORING OF ADULT CARE HOMES.

4 The General Assembly of North Carolina enacts:

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

6 "...

7 (b) Licensure; inspections. –

8 ...

9 (1a) In addition to the licensing and inspection requirements mandated by  
10 subdivision (1) of this subsection:

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

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

33 ...."



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1           **SECTION 2.** If House Bill 456, 2009 Regular Session, becomes law, Section 1 of  
2 this act is repealed.

3           **SECTION 3.** 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 4.** This act is effective when it becomes law.