

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 645
PROPOSED COMMITTEE SUBSTITUTE H645-PCS11193-SH-10

Short Title: Authorize Adult Day/Overnight Respite Program.

(Local)

Sponsors:

Referred to:

April 6, 2011

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE ADULT DAY CARE/OVERNIGHT RESPITE PROGRAMS IN CLEVELAND COUNTY.

The General Assembly of North Carolina enacts:

SECTION 1.(a) G.S. 131D-6(b) reads as rewritten:

"(b) As used in this section "adult day care program" means the provision of group care and supervision in a place other than their usual place of abode on a less than 24-hour basis to adults who may be physically or mentally disabled.

As used in this section, "adult day/overnight respite program" means a program that is inspected and certified by the Department as eligible to provide 24-hour group care and supervision to adults who may be physically or mentally disabled. This 24-hour care must be provided by a certified adult day care combination program that provides both the health and social model or in an adult day health program and shall not exceed 14 consecutive calendar days, or more than 60 total calendar days during a 365-day period. The provision of this service does not obligate the State to pay for any services not already authorized.

The Department of Health and Human Services shall annually inspect and certify all adult day care ~~programs, programs and adult day/overnight respite programs,~~ under rules adopted by the Social Services Commission. The Social Services Commission shall adopt rules to protect the health, safety, and welfare of persons in adult day care ~~programs, programs and adult day/overnight respite programs.~~ These rules shall include minimum standards relating to management of the program, staffing requirements, building requirements, fire safety, sanitation, nutrition, and program activities. Adult day care programs are not required to provide transportation to participants; however, those programs that choose to provide transportation shall comply with rules adopted by the Commission for the health and safety of participants during transport.

The Department of Health and Human Services shall enforce the rules of the Social Services Commission."

SECTION 1.(b) This act applies to Cleveland County only.

SECTION 2. The Social Services Commission shall adopt rules to establish adult day care/overnight respite programs.

SECTION 3. Section 1 of this act becomes effective January 1, 2012; the remainder of this act is effective when it becomes law.



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