

# ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
House Bill 97

AMENDMENT NO. A11  
(to be filled in by  
Principal Clerk)

H97-ATR-20 [v.3]

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Amends Title [NO]  
H97-PCS10386-LRxf-18

Date \_\_\_\_\_, 2015

Representative Avila

1 moves to amend the PCS on page 123, lines 1-8, by rewriting the lines to read:

2  
3 **"§ 131D-6.1. Licensure to offer overnight respite; rules; enforcement.**

4 (a) As used in this section, "overnight respite services" means the provision of group  
5 care and supervision in a place other than their usual place of abode on a 24-hour basis to adults  
6 who may be physically or mentally disabled and includes services provided by the following:

7 (1) Any facility certified to provide adult day care services pursuant to  
8 G.S. 131D-6, or adult day health services pursuant to 10A NCAC, Chapter  
9 06, Subchapter S, or both.

10 (2) Any adult care home or family care home licensed under this Article.

11 Overnight respite services provided by a provider pursuant to subdivision (1) of this section  
12 may include the services of the adult day care program or the adult day health program."; and

13  
14 moves to amend the bill on page 124, lines 3 and 4, by inserting between the lines a new  
15 subsection to read:

16  
17 **"SECTION 12G.3.(a1)** G.S. 131D-6(b) reads as rewritten:

18 (b) As used in this section "adult day care program" means the provision of group care  
19 and supervision in a place other than their usual place of abode on a less than 24-hour basis to  
20 adults who may be physically or mentally ~~disabled.~~ disabled, except that an adult day care  
21 program provider may provide overnight respite services on a 24-hour basis in accordance with  
22 G.S. 131D-6.1. The Department of Health and Human Services shall annually inspect and  
23 certify all adult day care programs, under rules adopted by the Social Services Commission.  
24 The Social Services Commission shall adopt rules to protect the health, safety, and welfare of  
25 persons in adult day care programs. These rules shall include minimum standards relating to  
26 management of the program, staffing requirements, building requirements, fire safety,  
27 sanitation, nutrition, and program activities. Adult day care programs are not required to  
28 provide transportation to participants; however, those programs that choose to provide  
29 transportation shall comply with rules adopted by the Commission for the health and safety of  
30 participants during transport.

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



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SIGNED \_\_\_\_\_  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_

**The official copy of this document, with signatures  
and vote information, is available in the  
House Principal Clerk's Office**