

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL 274
Health Care Committee Substitute Adopted 3/22/23
Third Edition Engrossed 3/29/23
PROPOSED HOUSE COMMITTEE SUBSTITUTE S274-PCS35307-BC-31

Short Title: Study Indep. Older Adult Svs. (Public)

Sponsors:

Referred to:

March 13, 2023

1 A BILL TO BE ENTITLED
2 AN ACT DIRECTING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO
3 STUDY THE ARRAY OF SERVICES AVAILABLE TO SUPPORT OLDER ADULTS IN
4 NORTH CAROLINA WHO LIVE INDEPENDENTLY AND TO REPORT FINDINGS
5 AND RECOMMENDATIONS TO THE GENERAL ASSEMBLY.

6 Whereas, the General Assembly has a history established by G.S. 143B-181.3 of
7 supporting the independence of older adults; and

8 Whereas, there are concerns surrounding the provision of unregulated services to
9 older adults in their homes given the General Assembly's expressed goal in G.S. 143B-181.3 for
10 older adults to live free from abuse, neglect, and exploitation; Now, therefore,
11 The General Assembly of North Carolina enacts:

12 **SECTION 1.(a)** The Department of Health and Human Services, Division of Health
13 Service Regulation, and Division of Aging and Adult Services, shall jointly study the array of
14 services available to older adults who live independently but need services to support and
15 maintain their independence.

16 **SECTION 1.(b)** The study shall examine the provision of the following services by
17 a paid provider:

- 18 (1) In-home companion, sitter, and respite care services.
- 19 (2) Meal preparation, cleaning and organizing, caring for pets, and other home
20 management services.
- 21 (3) Grocery shopping, retail shopping, and pickup and drop-off of items such as
22 library materials, mail, and donations.
- 23 (4) Transportation to and from medical appointments, social events, and
24 community activities.

25 **SECTION 1.(c)** While conducting the study required by this section, the Division of
26 Health Service Regulation, and the Division of Aging and Adult Services, shall seek input from
27 the following stakeholder groups: North Carolina Coalition on Aging, AARP, and the
28 Association for Home & Hospice Care of North Carolina.

29 **SECTION 1.(d)** The Department shall make recommendations consistent with the
30 General Assembly's findings in G.S. 143B-181.3 that older adults should be able to live as
31 independently as possible; to live free from abuse, neglect, and exploitation; and to have the
32 opportunity to be involved in their communities; and, consistent with the requirements of
33 G.S. 143B-181.1A for periodic analysis of the needs of older adults, the services currently
34 provided, and the need for additional services. The Department shall examine current statutes



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1 and rules pertaining to the provision of both existing and new emerging support services to
2 independent older adults and determine the following:

- 3 (1) Whether any changes are necessary to current statutes and rules to safely allow
4 the provision of services listed in Section 1(b) of this act.
- 5 (2) Whether providers of the services outlined in Section 1(b) of this act should
6 be regulated or licensed by the State.
- 7 (3) Whether any limitations, background checks, or safeguards are necessary for
8 the provision of services outlined in Section 1(b) of this act.

9 **SECTION 1.(e)** No later than September 1, 2024, the Department of Health and
10 Human Services, Division of Health Service Regulation, and Division of Aging and Adult
11 Services, shall report the findings of the study required by this section and make
12 recommendations, including any necessary legislative action, to the Joint Legislative Oversight
13 Committee on Health and Human Services.

14 **SECTION 1.(f)** The Department of Health and Human Services is prohibited from
15 pursuing changes to the items outlined in Section 1(d) of this act until after the General Assembly
16 has received the report required by Section 1(e) of this act.

17 **SECTION 2.** This act is effective when it becomes law.