

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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PRINCIPAL CLERK

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SENATE BILL DRS35336-MGa-159

Short Title: Redefine Hospice Facilities/Licensure & CON.

(Public)

Sponsors: Senator Hise (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT REDEFINING THE TERMS "HOSPICE INPATIENT FACILITY" AND "HOSPICE
3 RESIDENTIAL CARE FACILITY" FOR PURPOSES OF THE HOSPITAL LICENSURE
4 ACT AND CERTIFICATE OF NEED REVIEW; AND APPROPRIATING FUNDS TO
5 THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF HEALTH
6 SERVICE REGULATION, TO SUPPORT ENFORCEMENT OF STATE LICENSURE
7 AND CERTIFICATE OF NEED LAWS PERTAINING TO THESE FACILITIES.

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.(a)** G.S. 131E-201(3a) reads as rewritten:

10 "(3a) "Hospice inpatient facility" means a freestanding licensed hospice facility or
11 a designated inpatient unit in an existing health service facility ~~which~~that
12 provides palliative and supportive medical and other health services to meet
13 the physical, psychological, social, spiritual, and special needs of terminally
14 ill ~~patients~~patients, patients 20 years old or younger who have been diagnosed
15 with limited life expectancy, and their families in an inpatient setting."

16 **SECTION 1.(b)** G.S. 131E-201(5a) reads as rewritten:

17 "(5a) "Hospice residential care facility" means a freestanding licensed hospice
18 facility ~~which~~that provides palliative and supportive medical and other health
19 services to meet the physical, psychological, social, spiritual, and special
20 needs of terminally ill ~~patients~~patients, patients 20 years old or younger who
21 have been diagnosed with limited life expectancy, and their families in a group
22 residential setting."

23 **SECTION 1.(c)** G.S. 131E-176(13b) reads as rewritten:

24 "(13b) Hospice inpatient facility. – A freestanding licensed hospice facility or a
25 designated inpatient unit in an existing health service facility ~~which~~that
26 provides palliative and supportive medical and other health services to meet
27 the physical, psychological, social, spiritual, and special needs of terminally
28 ill ~~patients~~patients, patients 20 years old or younger who have been diagnosed
29 with limited life expectancy, and their families in an inpatient setting. For
30 purposes of this Article only, a hospital ~~which~~that has a contractual agreement
31 with a licensed hospice to provide inpatient services to a hospice patient as
32 defined in G.S. 131E-201(4) and provides those services in a licensed acute
33 care bed is not a hospice inpatient facility and is not subject to the
34 requirements in sub-subdivision (5)b. of this section for hospice inpatient
35 beds."

36 **SECTION 1.(d)** G.S. 131-176(13c) reads as rewritten:



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1 "(13c) Hospice residential care facility. – A freestanding licensed hospice facility
2 ~~which~~that provides palliative and supportive medical and other health
3 services to meet the physical, psychological, social, spiritual, and special
4 needs of terminally ill ~~patients~~patients, patients 20 years old or younger who
5 have been diagnosed with limited life expectancy, and their families in a group
6 residential setting."

7 **SECTION 2.** Effective July 1, 2024, there is appropriated from the General Fund to
8 the Department of Health and Human Services, Division of Health Service Regulation, the sum
9 of fifty thousand dollars (\$50,000) in recurring funds for the 2024-2025 fiscal year to be allocated
10 and used to support enforcement of State licensure and certificate of need laws pertaining to
11 hospice inpatient facilities and hospice residential care facilities, as those terms are defined in
12 G.S. 131E-201 and G.S. 131E-176, respectively, as amended by Section 1 of this act.

13 **SECTION 3.** Except as otherwise provided, this act is effective when it becomes
14 law.