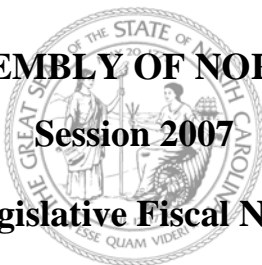


GENERAL ASSEMBLY OF NORTH CAROLINA



Session 2007

Legislative Fiscal Note

BILL NUMBER: House Bill 2409 (First Edition)

SHORT TITLE: Multiunit Asst. Housing Svs. Regis. Fee.

SPONSOR(S): Representatives Bordsen, Farmer-Butterfield, England, and Pierce

<b>FISCAL IMPACT</b>					
	<b>Yes (x)</b>	<b>No ( )</b>	<b>No Estimate Available ( )</b>		
	<b><u>FY 2008-09</u></b>	<b><u>FY 2009-10</u></b>	<b><u>FY 2010-11</u></b>	<b><u>FY 2011-12</u></b>	<b><u>FY 2012-13</u></b>
<b>REVENUES</b>					
<b>EXPENDITURES</b>	<b>Exact amount of impact cannot be determined. See assumptions and methodology section.</b>				
<b>POSITIONS (cumulative):</b>					
<b>PRINCIPAL DEPARTMENT(S) &amp; PROGRAM(S) AFFECTED:</b>	Department of Health and Human Services, Division of Health Service Regulation				
<b>EFFECTIVE DATE:</b>	January 1, 2010				

**BILL SUMMARY:**

H 2409. MULTIUNIT ASST. HOUSING SVS. REGIS. FEE.

Amends GS 131D-2(a)(7a) to change the registration requirement for Multiunit Assisted Housing with Services programs from one-time to annual and to set the annual registration fee at \$350.00. Also sets criminal and monetary penalties for failure to register. Effective January 1, 2010

**ASSUMPTIONS AND METHODOLOGY:**

**Background**

G.S. 131D-2(a)(7a) defines multiunit assisted housing with services (MAHS) as an assisted living residence in which hands-on personal care services and nursing services are arranged by housing management and are provided by a licensed home care or hospice agency, through an individualized written care plan. The housing management has a financial interest or financial affiliation or formal written agreement which makes personal care services accessible and

available through at least one licensed home care or hospice agency. The resident has a choice of any provider, and the housing management may not combine charges for housing and personal care services. All residents, or their compensatory agents, must be capable, through informed consent, of entering into a contract and must not need 24-hour supervision. Assistance with self-administration of medications may be provided by appropriately trained staff when delegated by a licensed nurse according to the home care agency's established plan of care.

Currently, MAHS programs are required to register with the Department of Health and Human Services, Division of Health Service Regulation (DHSR) and to provide a disclosure statement. House Bill 2409 amends G.S. 131D-2(a)(7a) to require multiunit assisted housing with services (MAHS) programs to register annually with the DHSR and to require the Department to charge each MAHS program a nonrefundable annual registration fee of \$350.00. Under the bill, any individual or corporation that establishes, conducts, manages, or operates a MAHS program that fails to register, is guilty of a Class 3 misdemeanor and upon conviction shall be subject to a fine of \$50.00 for the first offense and not more than \$500.00 for each subsequent offense.

**Fiscal Impact**

As of July 2, 2008, there were 26 MAHS programs registered with DHSR and four in the process of registering. Assuming that each of these continued to register and pay the annual fee, at least \$10,500 would be generated annually.

However, given that there is currently no penalty for not registering, it is likely that there are a number of unregistered MAHS programs operating across the State. DHSR currently does not have an estimate of the number of unregistered MAHS programs operating across the State. Therefore, it is not possible to estimate the fiscal impact from this bill.

**SOURCES OF DATA:** Department of Health and Human Services, Division of Health Service Regulation

**TECHNICAL CONSIDERATIONS:** None

**FISCAL RESEARCH DIVISION:** (919) 733-4910

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**APPROVED BY:**

Lynn Muchmore, Director  
Fiscal Research Division

**DATE:** July 2, 2008



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