

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

**SESSION LAW 2009-232
HOUSE BILL 1186**

**AN ACT TO AUTHORIZE COUNTY DEPARTMENTS OF SOCIAL SERVICES TO
CONDUCT FOLLOW-UP MONITORING OF ADULT CARE HOMES.**

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 131D-2(b) reads as rewritten:

" ...

(b) Licensure; inspections. –

...

(1a) In addition to the licensing and inspection requirements mandated by subdivision (1) of this subsection:

a. The Department shall ensure that adult care homes required to be licensed by this Article are monitored for licensure compliance on a regular basis. All facilities licensed under this Article and adult care units in nursing homes are subject to inspections at all times by the Secretary. The Division of Health Service Regulation shall inspect all adult care homes and adult care units in nursing homes on an annual basis, effective July 1, 2007, and thereafter. In addition, the Department shall ensure that adult care homes are inspected every two years to determine compliance with physical plant and life-safety requirements.

b. The Department shall work with county departments of social services to do the routine monitoring in adult care homes to ensure compliance with State and federal laws, rules, and regulations in accordance with policy and procedures established by the Division of Health Service Regulation and to have the Division of Health Service Regulation oversee this ~~monitoring and perform any required follow-up inspection monitoring~~. The county departments of social services shall document in a written report all on-site visits, including monitoring visits, revisits, and complaint investigations. The county departments of social services shall submit to the Division of Health Service Regulation written reports of each facility visit within 20 working days of the visit.

...."

SECTION 2. If House Bill 456, 2009 Regular Session, becomes law, Section 1 of this act is repealed.

SECTION 3. If House Bill 456, 2009 Regular Session, becomes law, G.S. 131D-2.11(b) reads as rewritten:

"§ 131D-2.11. Inspections, monitoring, and review by State agency and county departments of social services.

...

(b) Monitoring by County. – The Department shall work with county departments of social services to do the routine monitoring in adult care homes to ensure compliance with State and federal laws, rules, and regulations in accordance with policy and procedures established by the Division of Health Service Regulation and to have the Division of Health Service Regulation oversee this monitoring. ~~monitoring and perform any required follow-up inspection~~. The county departments of social services shall document in a written report all on site visits, including monitoring visits, revisits, and complaint investigations. The county



departments of social services shall submit to the Division of Health Service Regulation written reports of each facility visit within 20 working days of the visit."

SECTION 4. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 24th day of June, 2009.

s/ Walter H. Dalton
President of the Senate

s/ Joe Hackney
Speaker of the House of Representatives

s/ Beverly E. Perdue
Governor

Approved 5:57 p.m. this 30th day of June, 2009