

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 861

Short Title: Fund Aging Study.

(Public)

Sponsors: Senator Perdue.

Referred to: Appropriations.

May 6, 1991

A BILL TO BE ENTITLED

AN ACT TO DIRECT THE STUDY COMMISSION ON AGING TO CONDUCT CERTAIN STUDIES.

The General Assembly of North Carolina enacts:

Section 1. The North Carolina Study Commission on Aging shall study the need for expanding the membership of the Nursing Home/Rest Home Penalty Review Committee established under G.S. 131D-34. In conducting this study, the Commission shall consider recommending that the membership be expanded by four members, appointed by the General Assembly and representing the following fields of expertise:

- (1) Aging advocacy;
- (2) Community activity in aging and long-term care; and
- (3) Education and research in long-term care.

The Commission shall report its findings and recommendations to the 1991 General Assembly, Regular Session 1992.

Sec. 2. The North Carolina Study Commission on Aging shall study the concept of "assisted living". For purposes of this study, "assisted living" means a combination of shelter and services for older adults, including maintenance, housekeeping, meals, transportation, 24-hour staffing, and security, but not encompassing "continuing care" as that term is defined and regulated under Article 64 of Chapter 58 of the General Statutes. The Commission's study of assisted living may include:

- (1) The extent and form of providing assisted living in North Carolina;
- (2) Whether assisted living should be licensed as a separate category of care; and

1 (3) Whether assisted living services for which a fee is charged should be
2 regulated, and the extent of such regulation.

3 In conducting its study of assisted living, the Commission shall request the input of the
4 Department of Human Resources, Division of Aging and Division of Facilities Services.
5 The Commission shall report its findings and recommendations on the study conducted
6 under this section to the 1993 General Assembly, upon its convening.

7 Sec. 3. G.S. 120-182 reads as rewritten:

8 **"§ 120-182. Commission; membership.**

9 The Commission shall consist of 17 members, as follows:

- 10 (1) The Secretary of the Department of Human Resources or his delegate
11 shall serve ex officio as a non-voting member;
- 12 (2) Eight shall be appointed by the Speaker of the House of
13 Representatives, five being members of the House of Representatives
14 at the time of their appointment, and at least two being planners for or
15 providers of health, mental health, or social services to older adults;
16 and
- 17 (3) Eight shall be appointed by the President Pro Tempore of the Senate,
18 five being members of the Senate at the time of their appointment, and
19 at least two being planners for or providers of health, mental health, or
20 social services to older adults.

21 Any vacancy shall be filled by the appointing authority who made the initial
22 appointment and by a person having the same qualifications. All initial appointments
23 shall be made within one calendar month from the effective date of this Article.
24 Members' terms shall last for two years. Members may be reappointed for two
25 consecutive terms and may be appointed again after having been off the Commission
26 for two years."

27 Sec. 4. There is appropriated from the General Fund to the Legislative
28 Services Commission the sum of \$5,000 for fiscal year 1991-92 and the sum of \$5,000
29 for fiscal year 1992-93 to be used to conduct the studies authorized under Sections 1
30 and 2 of this act.

31 Sec. 5. Section 3 of this act is effective upon ratification and applies to
32 appointments made on or after that date. The remainder of this act becomes effective
33 July 1, 1991.