

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003**

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**SENATE DRS75276-SWz-34A\* (3/29)**

Short Title: DHHS Study/Medicaid Institutional Bias. (Public)

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Sponsors: Senators Swindell, Allran, Dannelly, Moore, and Queen.

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Referred to:

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A BILL TO BE ENTITLED

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2 AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN  
3 SERVICES TO CONTRACT WITH A THIRD PARTY TO STUDY WHETHER  
4 AN INSTITUTIONAL BIAS EXISTS IN THE STATE'S MEDICAID PROGRAM,  
5 AS RECOMMENDED BY THE NORTH CAROLINA STUDY COMMISSION  
6 ON AGING.

7 The General Assembly of North Carolina enacts:

8       **SECTION 1.** The Department of Health and Human Services shall contract  
9 with an independent third party to study whether the State's Medicaid program has a  
10 bias that favors support for individuals in institutional settings over support for  
11 individuals living at home and if a bias is found, to determine and recommend ways to  
12 alleviate the bias. The independent third party with whom the Department shall contract  
13 shall have documented experience in conducting similar studies. The study shall  
14 include consideration of all in-home services paid under the State's Medicaid program,  
15 including CAP/DA, home health, and personal care services. The Department shall  
16 report the results of the study to the North Carolina Study Commission on Aging by  
17 January 2005.

18       **SECTION 2.** There is appropriated from the General Fund to the  
19 Department of Health and Human Services the sum of one hundred fifty thousand  
20 dollars (\$150,000) for the 2004-2005 fiscal year to fund the study in this act.

21       **SECTION 3.** This act becomes effective July 1, 2004.