

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE BILL 708

Short Title: Hospice/License Fees, Inspections, Funds. (Public)

Sponsors: Senators Purcell; Atwater, Dorsett, Jones, Kinnaird, and Rand.

Referred to: Finance.

March 14, 2007

A BILL TO BE ENTITLED

1 AN ACT TO AUTHORIZE AN ANNUAL LICENSE FEE FOR HOSPICES; TO
2 REQUIRE INSPECTIONS OF HOSPICES EVERY THREE YEARS; AND TO
3 APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN
4 SERVICES TO SUPPORT TWO FULL-TIME POSITIONS TO SURVEY ALL
5 LICENSED HOSPICE PROVIDERS EVERY THREE YEARS.
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7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 131E-202 reads as rewritten:

9 **"§ 131E-202. Licensing.**

10 (a) The Commission shall adopt rules for the licensing and regulation of
11 hospices, hospice inpatient facilities, and hospice residential care facilities pursuant to
12 this Article for the purpose of providing care, treatment, health, safety, welfare, and
13 comfort of hospice patients. These rules shall include, but not be limited to:

- 14 (1) The qualifications and supervision of licensed and nonlicensed
15 personnel;
- 16 (2) The provision and coordination of home and inpatient care, including
17 the development of a written care plan;
- 18 (3) The management, operation, staffing, and equipping of the hospice
19 program;
- 20 (4) Clinical and business records kept by the hospice, hospice inpatient
21 care facility, and hospice residential care facility; and
- 22 (5) Procedures for the review of utilization and quality of care.

23 (b) The Department shall provide applications for hospice licensure. Each
24 application filed with the Department shall contain all information requested therein. A
25 license shall be granted to the applicant upon determination by the Department that the
26 applicant has complied with the provisions of this Article and with the rules adopted by
27 the Commission thereunder. Each license shall be issued only for the premises and
28 persons named therein, shall not be transferable or assignable except with the written

1 approval of the Department, and shall be posted in a conspicuous place on the licensed
2 premises.

3 (c) The Department shall renew the license in accordance with this Article and
4 with rules adopted ~~thereunder~~ thereunder and shall charge the applicant a nonrefundable
5 annual license fee in the amount of three hundred fifty dollars (\$350.00)."

6 **SECTION 2.** G.S. 131E-204 reads as rewritten:

7 "**§ 131E-204. Inspections.**

8 The Department shall inspect all hospices that are subject to rules adopted pursuant
9 to this Article in order to determine compliance with the provisions of this Article and
10 with rules adopted thereunder. Inspections shall be conducted at a minimum of every
11 three years in accordance with rules adopted by the Commission."

12 **SECTION 3.** There is appropriated from the General Fund to the
13 Department of Health and Human Services, Division of Facility Services, the sum of
14 forty-two thousand five hundred dollars (\$42,500) for the 2007-2008 fiscal year and the
15 sum of forty-two thousand five hundred dollars (\$42,500) for the 2008-2009 fiscal year.
16 These funds shall be used to support two full-time equivalent positions to survey all
17 licensed hospice providers every three years.

18 **SECTION 4.** This act becomes effective July 1, 2007.