GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2001

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HOUSE BILL 387 Committee Substitute Favorable 4/4/01

Short Title:	DD Group Homes Regulation-AB.
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Sponsors:

Referred to:

March 1, 2001

1	A BILL TO BE ENTITLED
2	AN ACT TO CLARIFY THE LICENSURE AND DEFINITION OF GROUP HOMES
3	FOR DEVELOPMENTALLY DISABLED ADULTS.
4	The General Assembly of North Carolina enacts:
5	SECTION 1.(a) G.S. 131D-2(a)(2) is repealed.
6	SECTION 1.(b) G.S. 131D-2(a)(6) is repealed.
7	SECTION 1.(c) G.S. 131D-20(6) is repealed.
8	SECTION 2. The licensure of a group home for developmentally disabled
9	adults pursuant to Article 1 of Chapter 131D of the General Statutes shall be transferred
10	to licensure as a supervised living facility for developmentally disabled adults under
11	G.S. 122C-3(14)e. A supervised living facility for developmentally disabled adults
12	licensed under this section shall:
13	(1) Except as otherwise provided in this section, comply with licensure
14	requirements of Article 2 of Chapter 122C of the General Statutes;
15	(2) Within 12 months of the effective date of this act, comply with
16	building code requirements for smoke detectors;
17	(3) Comply either with categories of existing rules applicable to group
18	homes for developmentally disabled adults adopted under Article 1 of
19	Chapter 131D of the General Statutes, or with categories of existing
20	rules applicable under G.S. 122C-3(14)e., at the option of the
21	supervised living facility; and
22	(4) Be subject to adverse action on a license under G.S. 122C-24 for
23	failure to comply with applicable statutes or rules.
24	A group home for developmentally disabled adults licensed under Article 1 of
25	Chapter 131D of the General Statutes and transferred to licensure under G.S. 122C-
26	3(14)e. shall be deemed to have met the building code requirements for licensure as a
27	supervised living facility.
28	The Department of Health and Human Services' Division of Facility Services

29 and Division of Mental Health, Developmental Disabilities, and Substance Abuse

(Public)

GENERAL ASSEMBLY OF NORTH CAROLINA

1	Services shall designate the categories of existing rules applicable to the supervised
2	living facility option under this section.
3	SECTION 3. G.S. 108A-41(a) reads as rewritten:
4	"(a) Assistance shall be granted under this Part to all persons in adult care homes
5	for care found to be essential in accordance with the rules and regulations adopted by
6	the Social Services Commission and prescribed by G.S. 108A-42(b). As used in this
7	Part, the term 'adult care home' includes a supervised living facility for developmentally
8	disabled adults licensed under Article 2 of Chapter 122C of the General Statutes."
9	SECTION 4. G.S. 58-55-35(a)(6) reads as rewritten:
10	"(6) 'Group home for developmentally disabled adults' shall be defined in
11	accordance with the terms of G.S. 131D-2(a)(6). Supervised living
12	facility for developmentally disabled adults' means a residential
13	facility, as defined in G.S. 122C-3(14), which has two to nine
14	developmentally disabled adult residents."
15	SECTION 5. This act is effective when it becomes law.