

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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HOUSE BILL 171*

Short Title: DHHS/Ensure No Felons Emp. in Long-Term Care. (Public)

Sponsors: Representatives Insko, Earle; Alexander, Bell, Bonner, Earle, Farmer-Butterfield, Gillespie, Hackney, Lucas, Luebke, McLawhorn, Nye, Sherrill, Sutton, Walend, Warren, Weiss, A. Williams, and Yongue.

Referred to: Health.

March 3, 2003

A BILL TO BE ENTITLED

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2 AN ACT TO ESTABLISH A GROUP WITHIN THE DEPARTMENT OF HEALTH
3 AND HUMAN SERVICES TO ENSURE THAT FELONS ARE NOT
4 EMPLOYED BY LONG-TERM CARE FACILITIES AND HOME CARE
5 AGENCIES AND TO REPEAL THE MORATORIUM ON THE EFFECTIVE
6 DATE OF LONG-TERM CARE CRIMINAL CHECKS.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** The Department of Health and Human Services shall establish
9 a group within the Department to ensure that convicted felons are not employed by
10 nursing homes, adult care homes, and home care agencies. If the Department
11 determines that statutory changes are needed in order to execute this mandate, the
12 Department shall report proposed statutory changes and the fiscal impact of those
13 changes to the North Carolina Study Commission on Aging on or before April 1, 2004.
14 In connection with this mandate, the moratorium on the effective date of long-term care
15 criminal checks established in S.L. 2002-126, Section 10.10C, is repealed.

16 **SECTION 2.** There is appropriated to the Department of Health and Human
17 Services the sum of one hundred thirty-three thousand three hundred twenty-eight
18 dollars (\$133,328) for the 2003-2004 fiscal year and the sum of one hundred fifty-three
19 thousand seven hundred seventy dollars (\$153,770) for the 2004-2005 fiscal year to
20 implement this act.

21 **SECTION 3.** This act becomes effective July 1, 2003.