

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 326

Short Title: Nurse Aide Registry.

(Public)

Sponsors: Senators Seymour; Daniel, Richardson, and Walker.

Referred to: Human Resources.

March 28, 1991

A BILL TO BE ENTITLED

1
2 AN ACT TO ESTABLISH THE AUTHORITY OF THE DEPARTMENT OF HUMAN
3 RESOURCES TO MAINTAIN A REGISTRY OF NURSE AIDES AND TO
4 INCLUDE FINDINGS OF ABUSE, NEGLECT, AND MISAPPROPRIATION IN
5 THE NURSE AIDE REGISTRY.

6 The General Assembly of North Carolina enacts:

7 Section 1. Chapter 131E of the General Statutes is amended by adding a new
8 section to read:

9 **"§ 131E-111. Nurse Aide Registry.**

10 (a) Pursuant to federal law, the Department shall establish and maintain a registry
11 containing the names of all nurse aides working in nursing facilities in North Carolina.
12 The Department shall include in the nurse aide registry any findings of neglect of a
13 resident in a nursing facility or abuse of a resident in a nursing facility or
14 misappropriation of the property of a resident in a nursing facility by a nurse aide.

15 (b) A nurse aide who wishes to contest a finding of resident neglect, resident
16 abuse, or misappropriation of resident property made against the aide, is entitled to an
17 administrative hearing as provided by the Administrative Procedure Act, Chapter 150B
18 of the General Statutes. A petition for contested case shall be filed within 30 days after
19 the nurse aide receives written notice by certified mail of the Department's intent to
20 place findings against the aide in the nurse aide registry.

21 (c) 'Nursing facility', as used in this section, means a 'combination home' as
22 defined in G.S. 131E-101(1) and a 'nursing home' as defined in G.S. 131E-101(6) and
23 also means 'facility' as that term is defined in G.S. 131E-116(2).

- 1 (d) The Department shall adopt, amend, and repeal all rules necessary for the
2 implementation of this section."
3 Sec. 2. This act becomes effective July 1, 1991.