

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 326  
Second Edition Engrossed 5/9/91

Short Title: Nurse Aide Registry.

(Public)

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

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Referred to: Human Resources.

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March 28, 1991

A BILL TO BE ENTITLED

1 AN ACT TO ESTABLISH THE AUTHORITY OF THE DEPARTMENT OF HUMAN  
2 RESOURCES TO MAINTAIN A REGISTRY OF NURSE AIDES AND TO  
3 INCLUDE FINDINGS OF ABUSE, NEGLECT, AND MISAPPROPRIATION IN  
4 THE NURSE AIDE REGISTRY.  
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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 42 U.S.C. § 1395i-3(e) and 42 U.S.C. § 1396r(e), the Department  
11 shall establish and maintain a registry containing the names of all nurse aides working  
12 in nursing facilities in North Carolina. The Department shall include in the nurse aide  
13 registry any findings by the Department of neglect of a resident in a nursing facility or  
14 abuse of a resident in a nursing facility or misappropriation of the property of a resident  
15 in a nursing facility by a nurse aide.

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

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

4       (d)    The Commission shall adopt, amend, and repeal all rules necessary for the  
5 implementation of this section."

6                Sec. 2. This act becomes effective July 1, 1991.