

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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SENATE DRS55110-LN-150 (3/10)

Short Title: License Assisted Living Facil./Elderly. (Public)

Sponsors: Senator Swindell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CREATE A LICENSURE CATEGORY FOR ASSISTED LIVING
COMMUNITIES THAT SERVE ONLY ELDERLY ADULTS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 131D-2(a)(1d) reads as rewritten:

"§ 131D-2. Licensing of adult care homes for the aged and disabled.

(a) The following definitions will apply in the interpretation of this section:

...

(1d) "Assisted living residence" means any group housing and services program for two or more unrelated adults, by whatever name it is called, that makes available, at a minimum, one meal a day and housekeeping services and provides personal care services directly or through a formal written agreement with one or more licensed home care or hospice agencies. The Department may allow nursing service exceptions on a case-by-case basis. Settings in which services are delivered may include self-contained apartment units or single or shared room units with private or area baths. Assisted living residences are to be distinguished from nursing homes subject to provisions of G.S. 131E-102. Effective ~~October 1, 1995~~, October 1, 2005, there are two types of assisted living residences: adult care homes and ~~group homes for developmentally disabled adults~~; adult care homes that serve only elderly persons. As used in this section, "elderly person" means:

- a. Any person who has attained the age of 55 years or older and requires assistance with activities of daily living, housing, and services, or
- b. Any adult who has a primary diagnosis of Alzheimer's disease or other form of dementia who requires assistance with

1 activities of daily living, housing, and services provided by a
2 licensed Alzheimer's and dementia care unit.

3 Effective July 1, 1996, there is a third type, multiunit assisted housing with
4 services."

5 **SECTION 2.** The Medical Care Commission shall adopt rules to implement
6 this act.

7 **SECTION 3.** This act is effective when it becomes law.