

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

**SESSION LAW 2007-39
HOUSE BILL 424**

AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY RESPITE CARE AND TO RECOMMEND WAYS TO IMPROVE THE CURRENT RESPITE CARE DELIVERY SYSTEM.

The General Assembly of North Carolina enacts:

SECTION 1.(a) The Department of Health and Human Services, Division of Facility Services, Division of Medical Assistance, and the Division of Aging and Adult Services, shall study the availability and delivery of respite care which provides temporary relief for family members and others who care for individuals with disabilities, chronic or terminal illnesses, dementia, or the elderly. The study shall examine the following:

- (1) The need and availability of respite care in North Carolina.
- (2) The delivery and licensing of respite care in other states and possible models for North Carolina.
- (3) The application process for a grant under the Lifespan Respite Care Act of 2006, 42 U.S.C.
- (4) The need for separate statutory language pertaining to respite care.
- (5) The need, proposed structure, and development timeline for a separate licensure category for respite care.
- (6) The development of a Medicaid waiver covering a proposed new licensure category for respite care.

SECTION 1.(b) In response to the study authorized in this section, the Department of Health and Human Services shall present findings and recommendations, including any proposed statutory changes and new licensure categories, to the Study Commission on Aging on or before March 1, 2008.

SECTION 2. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 2nd day of May, 2007.

s/ Beverly E. Perdue
President of the Senate

s/ Joe Hackney
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 5:38 p.m. this 11th day of May, 2007