

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

S

1

SENATE BILL 721

Short Title: Allow Electronic Suprvsn./MH/DD Facilities. (Public)

Sponsors: Senators Hoyle; Goss and Queen.

Referred to: Mental Health & Youth Services.

March 24, 2009

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES TO ADOPT RULES ESTABLISHING ACCEPTABLE ELECTRONIC SUPERVISION STANDARDS AND ALTERNATE STAFFING REQUIREMENTS AT FACILITIES FOR CHILDREN AND ADOLESCENTS WITH MENTAL ILLNESS OR DEVELOPMENTAL DISABILITIES DURING CLIENT SLEEP HOURS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 143B-147(a)(2) reads as rewritten:

"(a) There is hereby created the Commission for Mental Health, Developmental Disabilities, and Substance Abuse Services of the Department of Health and Human Services with the power and duty to adopt, amend and repeal rules to be followed in the conduct of State and local mental health, developmental disabilities, substance abuse programs including education, prevention, intervention, screening, assessment, referral, detoxification, treatment, rehabilitation, continuing care, emergency services, case management, and other related services. Such rules shall be designed to promote the amelioration or elimination of the mental illness, developmental disabilities, or substance abuse problems of the citizens of this State. The Commission for Mental Health, Developmental Disabilities, and Substance Abuse Services shall have the authority:

...

(2) To adopt rules for the licensing of facilities for the mentally ill, developmentally disabled, and substance abusers, under Article 2 of Chapter 122C of the General Statutes. These rules shall include all of the following:

a. Standards for the use of electronic supervision devices as an alternate means of continuous supervision at facilities for children and adolescents with mental illness or developmental disabilities during client sleep hours.

b. Alternate staffing requirements at facilities for children and adolescents with mental illness or developmental disabilities when continuous electronic supervision that meets the standards established pursuant to sub-subdivision a. of this subdivision is present, which requirements allow staff to be asleep though available to respond immediately to clients as needed during client sleep hours.

...."

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

