

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 645
Committee Substitute Favorable 4/20/11

Short Title: Authorize Adult Day/Overnight Respite Program.

(Local)

Sponsors:

Referred to:

April 6, 2011

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE ADULT DAY CARE/OVERNIGHT RESPITE PROGRAMS IN
3 CLEVELAND COUNTY.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.(a)** G.S. 131D-6(b) reads as rewritten:

6 "(b) As used in this section "adult day care program" means the provision of group care
7 and supervision in a place other than their usual place of abode on a less than 24-hour basis to
8 adults who may be physically or mentally disabled.

9 As used in this section, "adult day/overnight respite program" means a program that is
10 inspected and certified by the Department as eligible to provide 24-hour group care and
11 supervision to adults who may be physically or mentally disabled. This 24-hour care must be
12 provided by a certified adult day care combination program that provides both the health and
13 social model or in an adult day health program and shall not exceed 14 consecutive calendar
14 days, or more than 60 total calendar days during a 365-day period. The provision of this service
15 does not obligate the State to pay for any services not already authorized.

16 The Department of Health and Human Services shall annually inspect and certify all adult
17 day care ~~programs, programs and adult day/overnight respite programs,~~ under rules adopted by
18 the Social Services Commission. The Social Services Commission shall adopt rules to protect
19 the health, safety, and welfare of persons in adult day care ~~programs. programs and adult~~
20 day/overnight respite programs. These rules shall include minimum standards relating to
21 management of the program, staffing requirements, building requirements, fire safety,
22 sanitation, nutrition, and program activities. Adult day care programs are not required to
23 provide transportation to participants; however, those programs that choose to provide
24 transportation shall comply with rules adopted by the Commission for the health and safety of
25 participants during transport.

26 The Department of Health and Human Services shall enforce the rules of the Social
27 Services Commission."

28 **SECTION 1.(b)** This act applies to Cleveland County only.

29 **SECTION 2.** The Social Services Commission shall adopt rules to establish adult
30 day care/overnight respite programs.

31 **SECTION 3.** Section 1 of this act becomes effective January 1, 2012; the
32 remainder of this act is effective when it becomes law.

