

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

H.B. 5
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HOUSE PRINCIPAL CLERK

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HOUSE DRH10024-MGa-26A (01/04)

Short Title: Temporary Funding Extension for Group Homes. (Public)

Sponsors: Representatives Dollar and Burr (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT REQUIRING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO
3 PROVIDE TEMPORARY, SHORT-TERM FINANCIAL ASSISTANCE TO GROUP
4 HOMES SERVING RESIDENTS WHO LOSE ELIGIBILITY FOR
5 MEDICAID-COVERED PERSONAL CARE SERVICES.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.(a)** As used in this act, "group home" means any facility that (i) is
8 licensed under Chapter 122C of the General Statutes, (ii) meets the definition of a supervised
9 living facility under 10A NCAC 27G .5601, and (iii) serves adults whose primary diagnosis is
10 mental illness or a developmental disability but may also have other diagnoses.

11 **SECTION 1.(b)** The Department of Health and Human Services shall provide
12 temporary, short-term financial assistance in the form of a monthly payment to a group home
13 on behalf of a resident who loses eligibility for Medicaid covered personal care services (PCS)
14 after an independent assessment conducted prior to December 31, 2012, due to Medicaid State
15 Plan changes in PCS eligibility criteria specified in Section 10.9F of S.L. 2012-142, as
16 amended by Section 3.7 of S.L. 2012-145 and Section 70 of S.L. 2012-194. Notwithstanding
17 any other provision of law, the Department shall make this monthly payment from the
18 thirty-nine million seven hundred thousand dollars (\$39,700,000) appropriated for the
19 2012-2013 fiscal year and designated in Section 10.23A(f) of S.L. 2012-142, as amended by
20 Section 3.6 of S.L. 2012-145, subject to all of the following requirements and limitations:

- 21 (1) The amount of the monthly payments authorized by this act shall not exceed
22 six hundred ninety-four dollars (\$694.00) per month for each resident who
23 becomes ineligible for Medicaid-covered PCS after an independent
24 assessment conducted prior to December 31, 2012, due to Medicaid State
25 Plan changes in PCS eligibility criteria specified in Section 10.9F of S.L.
26 2012-142, as amended by Section 3.7 of S.L. 2012-145 and Section 70 of
27 S.L. 2012-194, for a period not to exceed three months for each resident. At
28 the expiration of this three-month period, the monthly payment for each
29 resident shall be reduced by twenty-five percent (25%) and shall not exceed
30 five hundred twenty dollars and fifty cents (\$520.50) per month per resident.
- 31 (2) The Department shall make monthly payments authorized by this act to a
32 group home on behalf of a resident only during the period commencing
33 February 1, 2013, and ending June 30, 2013.
- 34 (3) The Department shall make monthly payments authorized by this act only to
35 the extent sufficient funds are available from the thirty-nine million seven



1 hundred thousand dollars (\$39,700,000) appropriated for the 2012-2013
2 fiscal year and designated in Section 10.23A(f) of S.L. 2012-142, as
3 amended by Section 3.6 of S.L. 2012-145.
4 (4) The Department shall not make monthly payments authorized by this act to a
5 group home on behalf of a resident during the pendency of an appeal by or
6 on behalf of the resident under G.S. 108A-70.9A.
7 (5) The Department shall terminate all monthly payments pursuant to this
8 section on June 30, 2013, or upon depletion of the thirty-nine million seven
9 hundred thousand dollars (\$39,700,000) appropriated for the 2012-2013
10 fiscal year and designated in Section 10.23A(f) of S.L. 2012-142, as
11 amended by Sec. 3.6 of S.L. 2012-145, whichever is earlier.

12 **SECTION 2.** This act is effective when it becomes law and expires on June 30,
13 2013.