

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 1255  
Committee Substitute Favorable 7/10/91

Short Title: DHR License Fees/DOC Drug Fees.

(Public)

Sponsors:

Referred to:

May 10, 1991

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE DEPARTMENT OF HUMAN RESOURCES,  
DIVISION OF FACILITY SERVICES, TO CHARGE FEES FOR VARIOUS  
FACILITIES SEEKING LICENSURE OR CERTIFICATION AND TO  
AUTHORIZE THE DEPARTMENT OF CORRECTION TO CHARGE A FEE  
FOR DRUG TESTING AS A CONDITION OF PROBATION OR PAROLE.

The General Assembly of North Carolina enacts:

Section 1. Article 3 of Chapter 143B of the General Statutes is amended by  
adding a new section to read:

**"§ 143B-138.1. Fees for licensure or certification by the Division of Facility  
Services.**

The Department of Human Resources, Division of Facility Services, shall charge  
certain facilities that apply for licensure or certification fees to assist in defraying some  
of the State costs incurred in the licensure and certification procedures. The fees apply  
to applications for initial licensure or certification and to applications for renewal of  
licensure or certification. The amount of the fees and the facilities that must pay the  
fees are listed in the following table; a reference in the table to a Chapter is a reference  
to a Chapter of the General Statutes:

FEE FOR LICENSE

TYPE OF FACILITY

OR CERTIFICATION

1 Hospitals, licensed under Part A of Article 5 of Chapter 131E, and facilities,  
2 licensed under Article 2 of Chapter 122C, that are not certified by the  
3 Joint Commission on Accreditation of Hospitals \$100.00  
4

5 Hospitals, licensed under Part A of Article 5 of Chapter 131E, and facilities,  
6 licensed under Article 2 of Chapter 122C, that are certified by the  
7 Joint Commission on Accreditation of Hospitals \$25.00  
8

9 Nursing Facilities, licensed under Part A of Article 6 of Chapter 131E, and  
10 Intermediate Care Facilities for the mentally retarded, licensed under  
11 Article 2 of Chapter 122C \$25.00

12 plus \$1.00 per room

13 Ambulatory Surgical Facilities, licensed under Part D of Article 6 of Chapter  
14 131E \$100.00  
15

16 Home Health and Home Care Agencies, licensed under Part C of Article 6 of  
17 Chapter 131E, and Hospices, licensed under Article 10 of Chapter  
18 131E \$25.00  
19

20 Nursing Pools, licensed under Part E of Article 6 of Chapter 131E \$50.00  
21

22 Cardiac Rehabilitation certification, under Article 8 of Chapter 131E \$100.00  
23

24 Abortion Clinics, certified under Article 11 of Chapter 14 \$100.00  
25

26 Domiciliary Care Facilities for the aged and disabled having six or more  
27 beds, licensed under Article 1 of Chapter 131D \$25.00  
28 plus 50¢ per bed

29 Domiciliary Care Facilities for group homes for developmentally disabled  
30 adults and Family Care Homes, licensed under Article 1 of Chapter  
31 131D \$50.00  
32

33 Residential Facilities for the mentally retarded, licensed under Article 2 of  
34 Chapter 122C \$50.00.

35 Fees collected under this section shall be credited to the General Fund."

36 Sec. 2. G.S. 15A-1343(b1)(7) reads as rewritten:

37 "(7) Submit at reasonable times to warrantless searches by a probation  
38 officer of his person and of his vehicle and premises while he is  
39 present, for purposes specified by the court and reasonably related to  
40 his probation supervision, but the probationer may not be required to  
41 submit to any other search that would otherwise be unlawful.  
42 Whenever the warrantless search consists of testing for the presence of  
43 illegal drugs, the probationer may also be required to reimburse the

1                    Department of Correction for the actual cost of drug screening and  
2                    drug testing."

3                    Sec. 3. G.S. 15A-1374(b)(11) reads as rewritten:

4                    "(11)    Submit at reasonable times to searches of his person by a parole  
5                    officer for purposes reasonably related to his parole supervision.  
6                    The Commission may not require as a condition of parole that the  
7                    parolee submit to any other searches that would otherwise be  
8                    unlawful. Whenever the search consists of testing for the presence  
9                    of illegal drugs, the parolee may also be required to reimburse the  
10                    Department of Correction for the actual cost of drug testing and  
11                    drug screening."

12                    Sec. 4. This act is effective upon ratification.