

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 1425

Short Title: Dom. Care Improvements/Funds.

(Public)

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Sponsors: Representatives Colton; Bowman and Ives.

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Referred to: Appropriations.

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May 17, 1993

A BILL TO BE ENTITLED

AN ACT TO IMPROVE THE QUALITY OF CARE PROVIDED TO DOMICILIARY  
CARE RESIDENTS.

Whereas, North Carolina has the second highest domiciliary bed to older adult population ratio in the nation, has the fourth highest domiciliary reimbursement rate in the nation, and has never conducted an independent fiscal audit with which to establish an actual reimbursement rate; and

Whereas, it is estimated that 66% of domiciliary residents have physical disabilities, over 50% have mental disabilities, and less than 7% of the residents' population have no physical or mental disabilities; and

Whereas, North Carolina domiciliary care regulations require no medical assessment capacity beyond occasional and incidental medical care; and

Whereas, there are currently no specific formal training requirements for personal care staff in North Carolina's domiciliary care rules and standards; and

Whereas, most domiciliary residents have multiple prescription and medical needs and they do not manage their own medications or self-medicate; and

Whereas, there are no requirements for formal training in drug management practice for domiciliary staff; and

Whereas, domiciliary homes are exempt from registration under the North Carolina Controlled Substances Act; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. The Department of Human Resources shall ensure that a formal resident assessment procedure, including an ongoing level of care review, is established for all North Carolina residents.

1           Sec. 2. The Department of Human Resources shall ensure that a  
2 professionally trained medication technician is available in domiciliary care facilities for  
3 every 30 residents.

4           Sec. 3. Notwithstanding any law to the contrary, domiciliary homes are  
5 subject to the North Carolina Controlled Substances Act. The Commission for Mental  
6 Health, Developmental Disabilities, and Substance Abuse Services shall adopt the rules  
7 necessary to effect this section.

8           Sec. 4. The Department of Human Resources shall develop a plan to  
9 establish a consistent State-certified training program for all personal care staff in North  
10 Carolina's domiciliary care homes. The Department shall report this plan, together with  
11 necessary proposed legislation, to the 1993 General Assembly by April 1, 1994.

12           Sec. 5. The Department of Human Resources shall ensure that all appropriate  
13 State and county officials work together to ensure and enforce the protection of the  
14 health, safety, and welfare of North Carolina's older adults who are dependent on the  
15 present domiciliary care system. The Department shall work in cooperation with county  
16 departments of social services, the North Carolina Association of County  
17 Commissioners, and any other State or county officials it considers appropriate to effect  
18 this section.

19           Sec. 6. There is appropriated to the Department of Human Resources the sum  
20 of fifty thousand dollars (\$50,000) for the 1993-94 fiscal year and the sum of fifty  
21 thousand dollars (\$50,000) for the 1994-95 fiscal year to implement this act.

22           Sec. 7. This act becomes effective July 1, 1993.