GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 198

Short Title: GPAC/Transition ICF/MR Res. (Public)

Sponsors: Senators Martin of Guilford; Daniel and Blackmon.

Referred to: Government Performance Audit.

February 17, 1993

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT A RECOMMENDATION OF THE GOVERNMENT PERFORMANCE AUDIT COMMITTEE TO TRANSITION INAPPROPRIATELY PLACED RESIDENTS OF INTERMEDIATE CARE FACILITIES FOR THE MENTALLY RETARDED TO HOME- AND COMMUNITY-BASED SERVICES.

The General Assembly of North Carolina enacts:

Section 1. The General Assembly finds that North Carolina continues to admit a significant number of individuals to State-operated intermediate care facilities for the mentally retarded (ICFs/MR), while most other states are moving to deinstitutionalize the mentally retarded and that there are 236 individuals inappropriately placed in ICFs/MR settings.

Sec. 2. Effective July 1, 1995, the Department of Human Resources shall ensure that the individuals inappropriately placed in ICFs/MR are transitioned to home- and community-based settings, where they will receive services in a more appropriate setting. The process of transition shall include:

(1) Ensuring that stringent criteria will be applied so that the excess capacity in ICFs/MR created by the transition is not refilled inappropriately again; and

(2) Consideration of a capital reimbursement system to ensure that capital costs, which could be reallocated among remaining residents, are not reimbursed.

Sec. 3. This act becomes effective July 1, 1993.