

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H

1

HOUSE BILL 744

Short Title: Rest Hm. Penalty/Patient Unattended.

(Public)

---

Sponsors: Representatives Clary; Baker, Bowie, Buchanan, Cansler, Capps, Cummings, Davis, Decker, Dickson, Earle, Eddins, Hiatt, Justus, Kiser, Linney, McAllister, McComas, K. Miller, Pate, Pulley, Reynolds, Sexton, Sharpe, Shubert, Snowden, Weatherly, Wilkins, and G. Wilson.

---

Referred to: Welfare, Reform and Human Resources, if favorable, Judiciary I.

---

April 3, 1995

A BILL TO BE ENTITLED

1  
2 AN ACT TO REQUIRE THAT A DOMICILIARY CARE FACILITY FOUND ON  
3 INSPECTION TO HAVE LEFT A PATIENT UNATTENDED TO HAVE LICENSE  
4 REVOKED AND TO BE PLACED UNDER TEMPORARY MANAGEMENT  
5 PENDING ANY APPEAL.

6 The General Assembly of North Carolina enacts:

7 Section 1. Article 1 of Chapter 131D of the General Statutes is amended by  
8 inserting a new section to read:

9 "**§ 131D-2.1. License revoked for leaving patient unattended; temporary**  
10 **management pending appeal.**

11 (a) If, during any inspection pursuant to G.S. 131D-2(b), any inspector whether  
12 from the Division of Facility Services or the department of social services observes any  
13 instance in which a patient is left unattended by appropriate trained staff, that inspector  
14 shall immediately commence the process prescribed in G.S. 131D-2(b) for revocation of  
15 the facility's license.

1       (b)     The Department of Human Resources shall ensure that, as soon as the license  
2 revocation process is begun, the facility is placed under temporary management pursuant  
3 to Article 4 of this Chapter pending any appeal of the revocation."

4             Sec. 2. This act becomes effective October 1, 1995, and applies to revocation  
5 processes begun because of inspections occurring on or after that date.