

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 1021

Short Title: Home Health Area Clarification.

(Public)

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Sponsors: Senators Cochrane, Forrester, Lucas, Cooper, Parnell, Little, and Kincaid.

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Referred to: Commerce

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May 4, 1995

A BILL TO BE ENTITLED

1 AN ACT TO CLARIFY THAT HOME HEALTH AGENCIES ARE RESTRICTED TO  
2 SERVING PATIENTS WITHIN THEIR SERVICE AREA, TO SUNSET THIS  
3 RESTRICTION IN TWO YEARS, AND TO REQUIRE THE HEALTH PLANNING  
4 COMMISSION TO DETERMINE WHETHER TO RECOMMEND THE  
5 RESTRICTION BE CONTINUED.  
6

7 The General Assembly of North Carolina enacts:

8 Section 1. Article 9 of Chapter 131E of the General Statutes is amended by  
9 inserting a new section to read:

10 "**§ 131E-180.1. Home health agency service restriction.**

11 A home health agency shall not serve patients located outside its service area.

12 For those home health agencies for which no certificate of need was issued, the home  
13 health agency's geographic service area is only those counties in which patients were  
14 served as shown on the existing home health agency's licensure renewal form on file with  
15 the Licensure Section of the Division of Facility Services as of January 1, 1991.

16 For those home health agencies for which a certificate of need was issued the home  
17 health agency's geographic service area is as follows:

- 18 (1) Where the service area is identified on the certificate of need issued to  
19 the home health agency, the agency's geographic service area is the  
20 service area identified on the certificate of need.

1           (2)    Where the service area is not identified on the certificate of need issued  
2           to the home health agency, the agency's geographic service area is the  
3           proposed geographic service area that is identified in the application for a  
4           certificate of need and approved by the Certificate of Need Section of  
5           the Division of Facility Services."

6           Sec. 2. The Health Planning Commission shall study the issue of whether to  
7 recommend continuation of the restriction on home health agency service contained in  
8 G.S. 131E-180.1 beyond June 30, 1997. This study shall include an evaluation of the  
9 effect of this restriction on:

- 10           (1)    The cost and quality of home health services in North Carolina;  
11           (2)    The ability of counties to continue to comply with G.S. 131E-137 in a  
12           manner that controls costs and maintains the quality of services; and  
13           (3)    The maintenance of high performance standards for home health  
14           agencies in accordance with Part C of Article 6 of Chapter 131E of the  
15           General Statutes.

16           The Health Planning Commission shall report the results of its study in its  
17 report to the 1997 General Assembly.

18           Sec. 3. This act is effective upon ratification. Section 1 expires July 1, 1997.