

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 1086
Health Care Committee Substitute Adopted 4/28/99

Short Title: Restraints/Deaths in Facilities.

(Public)

Sponsors:

Referred to:

April 15, 1999

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE MENTAL HEALTH STUDY COMMISSION TO STUDY THE USE OF PHYSICAL AND MECHANICAL RESTRAINTS IN CERTAIN FACILITIES, AND TO STUDY THE REPORTING OF DEATHS IN CERTAIN FACILITIES, AND TO STUDY ACCESS TO INFORMATION ABOUT THESE DEATHS BY THE GOVERNOR'S ADVOCACY COUNCIL FOR PERSONS WITH DISABILITIES.

The General Assembly of North Carolina enacts:

Section 1. The Mental Health Study Commission shall study the following:

(1) The use of physical or mechanical restraint or seclusion of persons in the following facilities:

a. Mental health facilities licensed under Article 2 of Chapter 122C of the General Statutes; and

b. Child placing and child caring facilities licensed under Article 1A of Chapter 131D of the General Statutes.

(2) The reporting of deaths of persons in facilities licensed under Article 2 of Chapter 122C of the General Statutes, Articles 1A and 3 of Chapter 131D of the General Statutes to the Secretary of Health and Human Services.

1 (3) Access to the information contained in reports required under
2 subdivision (2) of this section, by the Governor's Advocacy Council for
3 Persons with Disabilities for the monitoring of deaths occurring in such
4 facilities.

5 (4) Any other issues the Commission deems appropriate for the study.
6 In conducting the study, the Commission shall solicit the input of the
7 Governor's Advocacy Council for Persons with Disabilities and the contents of and any
8 proposed revisions to Senate Bill 1086, 1999 General Assembly.

9 The Commission shall report its findings and recommendations to the 1999
10 General Assembly, Regular Session 2000, not later than May 1, 2000.

11 Section 2. This act is effective when it becomes law.