

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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SENATE DRS75433-LN-297 (5/11)

Short Title: Medical Care Commission/Membership. (Public)

Sponsors: Senator Malone.

Referred to:

A BILL TO BE ENTITLED

1 AN ACT TO INCREASE THE MEMBERSHIP OF THE MEDICAL CARE
2 COMMISSION TO PROVIDE FOR A REPRESENTATIVE OF HOME AND
3 HOSPICE CARE.
4

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 143B-166 reads as rewritten:

7 "**§ 143B-166. North Carolina Medical Care Commission – members; selection;**
8 **quorum; compensation.**

9 The North Carolina Medical Care Commission of the Department of Health and
10 Human Services shall consist of ~~17~~18 members appointed by the Governor. Three of
11 the members appointed by the Governor shall be nominated by the North Carolina
12 Medical Society, one member shall be nominated by the North Carolina Nurses
13 Association, one member shall be nominated by the Association for Home and Hospice
14 Care of North Carolina, one member shall be nominated by the North Carolina
15 Pharmaceutical Association, one member nominated by the Duke Foundation and one
16 member nominated by the North Carolina Hospital Association. The remaining 10
17 members of the North Carolina Medical Care Commission shall be appointed by the
18 Governor and selected so as to fairly represent agriculture, industry, labor, and other
19 interest groups in North Carolina. One such member appointed by the Governor shall be
20 a dentist licensed to practice in North Carolina. ~~The initial members of the Commission~~
21 ~~shall be 18 members of the North Carolina Medical Care Commission who shall serve~~
22 ~~for a period equal to the remainder of their current terms on the North Carolina Medical~~
23 ~~Care Commission, six of whose appointments expire June 30, 1973, four of whose~~
24 ~~appointments expire June 30, 1974, four of whose appointments expire June 30, 1975,~~
25 ~~and four of whose appointments expire June 30, 1976. To achieve the required~~
26 ~~17 members the Governor shall appoint three members to the Commission upon the~~
27 ~~expiration of four members' initial terms on June 30, 1973. At the end of the respective~~

1 ~~terms of office of the initial members of the Commission, their successors shall be~~
2 ~~appointed for terms of four years~~Members shall be appointed for four-year terms and
3 until their successors are appointed and qualify. Any appointment to fill a vacancy on
4 the Commission created by the resignation, dismissal, death, or disability of a member
5 shall be for the balance of the unexpired term.

6 The Governor shall have the power to remove any member of the Commission from
7 office for misfeasance, malfeasance or nonfeasance in accordance with the provisions of
8 G.S. 143B-13 of the Executive Organization Act of 1973.

9 Vacancies on said Commission among the membership nominated by a society,
10 association, or foundation as hereinabove provided shall be filled by the Executive
11 Committee or other authorized agent of said society, association or foundation until the
12 next meeting of the society, association or foundation at which time the society,
13 association or foundation shall nominate a member to fill the vacancy for the unexpired
14 term.

15 The members of the Commission shall receive per diem and necessary travel and
16 subsistence expenses in accordance with the provisions of G.S. 138-5.

17 A majority of the Commission shall constitute a quorum for the transaction of
18 business.

19 All clerical and other services required by the Commission shall be supplied by the
20 Secretary of Health and Human Services."

21 **SECTION 2.** This act is effective when it becomes law.