

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

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HOUSE BILL 1748

Short Title: Long-Term Care Providers/Crim. History Study. (Public)

Sponsors: Representatives Earle; Bell, Crawford, and Wray.

Referred to: Aging, if favorable, Rules, Calendar, and Operations of the House.

April 19, 2007

A BILL TO BE ENTITLED

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2 AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN
3 SERVICES, DIVISION OF AGING AND ADULT SERVICES AND DIVISION
4 OF FACILITY SERVICES, TO STUDY LIMITATIONS ON THE AUTHORITY
5 OF LONG-TERM CARE PROVIDERS IN HIRING CONVICTED FELONS.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** The Department of Health and Human Services, Division of
8 Aging and Adult Services and Division of Facility Services, shall study the necessity of
9 limiting the authority, granted by G.S. 131E-265 and G.S. 131D-40, of nursing homes,
10 home care agencies, adult care homes, or the contract agencies of nursing homes, home
11 care agencies, and adult care homes to hire applicants with certain relevant offenses.
12 The study shall examine whether there is an acceptable time lapse between the date of
13 the crime and the hiring of an applicant convicted of certain relevant offenses that are
14 felonies. In conducting the study, the Department shall review relevant incident data and
15 shall seek input from the North Carolina Attorney General's office, long-term care
16 provider associations, and advocacy groups. The Department shall report findings and
17 recommendations to the North Carolina Study Commission on Aging on or before
18 March 1, 2008.

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