

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1993**

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**SENATE BILL 479**

Short Title: Senior Tar Heel Legislature.

(Public)

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Sponsors: Senators Perdue; Albertson, Jordan, Parnell, Martin of Pitt, Hoyle, Richardson, Gunter, Forrester, Hartsell, Ballance, Smith, Edwards, Speed, Plyler, Marshall, Codington, Winner of Mecklenburg, Plexico, Warren, and Tally.

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Referred to: Rules and Operation of the Senate.

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March 11, 1993

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH THE SENIOR TAR HEEL LEGISLATURE.

Whereas, North Carolina has over 900,000 citizens 65 and older; and

Whereas, older adults now comprise the fastest growing segment of North Carolina's population with North Carolina experiencing a growth rate of 33% for individuals 65 and older compared with a growth rate of 13% for North Carolina as a whole; and

Whereas, by the year 2000 older adults will constitute 13% of the total population; and

Whereas, over 40,000 retirees relocate in North Carolina each year which ranks North Carolina fifth nationally in attracting out-of-state retirees; and

Whereas, older citizens have contributed greatly to the economic development of North Carolina and will continue to contribute because of their increased numbers; and

Whereas, there is a subgroup (19.5%) of our older citizens who have incomes less than the federal poverty level; and

Whereas, the rapid aging of the citizens of the State will mandate attention to health care, housing, community-based services, recreation, and volunteerism used by older adults and their families; and

Whereas, older North Carolinians can best judge their own needs and concerns and should be their own best advocates; and



1 (a) There is hereby created within the office of the Secretary of the Department  
2 of Human Resources a Division of Aging, which shall have the following functions and  
3 duties:

- 4 (1) To maintain a continuing review of existing programs for the aging in  
5 the State of North Carolina, and periodically make recommendations  
6 to the Secretary of Human Resources for transmittal to the Governor  
7 and the General Assembly as appropriate for improvements in and  
8 additions to such programs;
- 9 (2) To study, collect, maintain, publish and disseminate factual data and  
10 pertinent information relative to all aspects of aging. These include the  
11 societal, economic, educational, recreational and health needs and  
12 opportunities of the aging;
- 13 (3) To stimulate, inform, educate and assist local organizations, the  
14 community at large, and older people themselves about aging,  
15 including needs, resources and opportunities for the aging, and about  
16 the role they can play in improving conditions for the aging;
- 17 (4) To serve as the agency through which various public and nonpublic  
18 organizations concerned with the aged can exchange information,  
19 coordinate programs, and be helped to engage in joint endeavors;
- 20 (5) To provide advice, information and technical assistance to North  
21 Carolina State government departments and agencies and to  
22 nongovernmental organizations which may be considering the  
23 inauguration of services, programs, or facilities for the aging, or which  
24 can be stimulated to take such action;
- 25 (6) To coordinate governmental programs with private agency programs  
26 for aging in order that such efforts be effective and that duplication  
27 and wasted effort be prevented or eliminated;
- 28 (7) To promote employment opportunities as well as proper and adequate  
29 recreational use of leisure for older people, including opportunities for  
30 uncompensated but satisfying volunteer work;
- 31 (8) To identify research needs, encourage research, and assist in obtaining  
32 funds for research and demonstration projects; ~~and~~
- 33 (9) To establish or help to establish demonstration programs of services to  
34 the aging;
- 35 (10) To establish a fee schedule to cover the cost of providing in-home and  
36 community-based services funded by the Division. The fees may vary  
37 on the basis of the type of service provided and the ability of the  
38 recipient to pay for the service. The fees may be imposed on the  
39 recipient of a service unless prohibited by federal law. The local  
40 agency shall retain the fee and use it to extend the availability of in-  
41 home and community-based services provided by the Division in  
42 support of functionally impaired older adults and family caregivers of  
43 functionally impaired older adults; ~~and~~

1 (11) To administer a Home and Community Care Block Grant for older  
2 adults, effective July 1, 1992. The Home and Community Care Block  
3 Grant shall be comprised of applicable Older Americans Act funds,  
4 Social Services Block Grant funding in support of the Respite Care  
5 Program (G.S. 143B-181.10), State funds for home and community  
6 care services administered by the Division of Aging, portions of the  
7 State In-Home and Adult Day Care funds (Chapter 1048, 1981 Session  
8 Laws) administered by the Division of Social Services which support  
9 services to older adults, and other funds appropriated by the General  
10 Assembly as part of the Home and Community Care Block Grant.  
11 Funding currently administered by the Division of Social Services to  
12 be included in the block grant will be based on the expenditures for  
13 older adults at a point in time to be mutually determined by the  
14 Divisions of Social Services and Aging. The total amount of Older  
15 Americans Act funds to be included in the Home and Community Care  
16 Block Grant and the matching rates for the block grant shall be  
17 established by the Department of Human Resources, Division of  
18 Aging. Allocations made to counties in support of older adults shall  
19 not be less than resources made available for the period July 1, 1990,  
20 through June 30, 1991, contingent upon availability of current State  
21 and federal ~~funding~~-funding; and

22 (12) To organize, coordinate, and provide staff support to the North  
23 Carolina Senior Tar Heel Legislature.

24 (b) The Division shall function under the authority of the Department of Human  
25 Resources and the Secretary of Human Resources as provided in the Executive  
26 Organization Act of 1973 and shall perform such other duties as are assigned by the  
27 Secretary.

28 (c) The Secretary of Human Resources shall adopt rules to implement this Part  
29 and Title 42, Chapter 35, of the United States Code, entitled Programs for Older  
30 Americans."

31 Sec. 3. This act is effective upon ratification.