

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 783  
Health Care Committee Substitute Adopted 4/28/99

Short Title: Long-Term Care Facilities/Disclosure.

(Public)

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Sponsors:

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Referred to:

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April 7, 1999

1 A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE THAT NURSING HOMES PROVIDING SPECIAL CARE  
3 FOR PERSONS WITH ALZHEIMER'S DISEASE OR OTHER DEMENTIAS  
4 DISCLOSE CERTAIN INFORMATION.

5 The General Assembly of North Carolina enacts:

6 Section 1. Part A of Article 6 of Chapter 131E of the General Statutes is  
7 amended by adding the following new section to read:

8 "**§ 131E-112. Special care units; disclosure of information required.**

9 (a) A nursing home or combination home licensed under this Part that provides  
10 special care for persons with Alzheimer's disease or other dementias in a special care unit  
11 shall make the following disclosures pertaining to the special care provided that  
12 distinguishes the special care unit as being especially designed for residents with  
13 Alzheimer's disease or other dementias. The disclosure shall be made annually, in  
14 writing, to all of the following:

15 (1) The Department, as part of its licensing procedures.

16 (2) Each person seeking placement within a special care unit, or the  
17 person's authorized representative, prior to entering into an agreement  
18 with the person to provide special care.

1       **(b)** Information that must be disclosed in writing shall include, but is not limited  
2 to, all of the following:

3           **(1)** A statement of the overall philosophy and mission of the licensed  
4 facility and how it reflects the special needs of residents with dementia.

5           **(2)** The process and criteria for placement, transfer, or discharge to or from  
6 the special care unit.

7           **(3)** The process used for assessment and establishment of the plan of care  
8 and its implementation, as required under State and federal law.

9           **(4)** Typical staffing patterns and how the patterns reflect the resident's need  
10 for increased care and supervision.

11           **(5)** Dementia-specific staff training.

12           **(6)** Physical environment features designed specifically for the special care  
13 unit.

14           **(7)** Alzheimer's disease and other dementia-specific programming.

15           **(8)** Opportunities for family involvement.

16           **(9)** Additional costs or fees to the resident for special care.

17       **(c)** As part of its license renewal procedures and inspections, the Department shall  
18 examine for accuracy the written disclosures made by each licensed facility subject to  
19 this section.

20       **(d)** Nothing in this section shall be construed as prohibiting a nursing home or  
21 combination home that does not offer a special care unit from admitting a person with  
22 Alzheimer's disease or other dementias. The disclosures required by this section apply  
23 only to a nursing home or combination home that advertises, markets, or otherwise  
24 promotes itself as providing a special care unit for persons with Alzheimer's disease or  
25 other dementias.

26       **(e)** As used in this section, the term 'special care unit' means a wing or hallway  
27 within a nursing home, or a program provided by a nursing home, that is designated  
28 especially for residents with Alzheimer's disease or other dementias, or other special  
29 needs disease or condition, as determined by the Medical Care Commission, which may  
30 include mental disabilities."

31           Section 2. This act becomes effective January 1, 2000.