

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

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HOUSE DRH60061-LN-16 (2/5)

Short Title: Emerg. Generators/Nursing & Adlt Care Homes. (Public)

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Sponsors: Representative Moore.

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Referred to:

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A BILL TO BE ENTITLED

AN ACT TO REQUIRE THAT NURSING HOMES AND ADULT CARE HOMES  
HAVE EMERGENCY GENERATORS FOR USE DURING POWER OUTAGES.

The General Assembly of North Carolina enacts:

**SECTION 1.** Effective January 1, 2004, Part 1 of Article 6 of Chapter 131E  
of the General Statutes is amended by adding the following new section to read:

**"§ 131E-114.2. Emergency electrical service required.**

Notwithstanding any other provision of law to the contrary, all nursing homes,  
combination homes, and adult care homes, as those terms are defined in G.S. 131E-101,  
licensed and operating in this State shall provide emergency electrical service for use in  
the event of failure of the normal electrical service. Emergency electrical service shall  
be sufficient to provide heat, lighting, and other essential electrical services as required  
by rules of the Medical Care Commission."

**SECTION 2.** Effective January 1, 2004, G.S. 131D-2(b)(1a) reads as  
rewritten:

**"§ 131D-2. Licensing of adult care homes for the aged and disabled.**

...

(b) Licensure; inspections. –

...

(1a) In addition to the licensing and inspection requirements mandated by  
subdivision (1) of this subsection, the Department shall ensure that  
adult care homes required to be licensed by this Article are monitored  
for licensure compliance on a regular basis. In carrying out this  
requirement, the Department shall work with county departments of  
social services to do the routine monitoring and to have the Division of  
Facility Services oversee this monitoring and perform any follow-up  
inspection called for. The Department shall monitor regularly the

1 enforcement of rules pertaining to air circulation, ventilation, and room  
2 temperature in resident living quarters. These rules shall include the  
3 requirement that air conditioning or at least one fan per resident  
4 bedroom and living and dining areas be provided when the  
5 temperature in the main center corridor exceeds 80 degrees Fahrenheit.  
6 The Department shall ensure that adult care homes required to be  
7 licensed by this Article provide emergency electrical service for use in  
8 the event of failure of the normal electrical service. The emergency  
9 electrical service shall be sufficient to provide heat, lighting, and other  
10 essential electrical services as required by rules adopted by the  
11 Medical Care Commission. The Department shall also keep an  
12 up-to-date directory of all persons who are administrators as defined in  
13 subdivision (1a) of subsection (a) of this section."

14 **SECTION 3.** This act is effective when it becomes law.