

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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SENATE BILL 1041

Short Title: Study No-Fault for Elderly/Disabled Care. (Public)

Sponsors: Senators Clodfelter; Hartsell and Kinnaird.

Referred to: Rules and Operations of the Senate.

March 24, 2005

A BILL TO BE ENTITLED

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2 AN ACT TO DIRECT A JOINT STUDY OF CREATING A SYSTEM OF
3 NO-FAULT COMPENSATION FOR INJURIES RESULTING FROM CARE
4 PROVIDED AT NURSING HOMES, HOMES FOR THE ELDERLY, OTHER
5 LONG-TERM CARE FACILITIES, AND ASSISTED LIVING FACILITIES.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** The Commissioner of Insurance, the North Carolina Industrial
8 Commission, and the Department of Health and Human Services shall jointly study the
9 utility, efficacy, and advisability of creating a system of no-fault compensation, with
10 such compensation based on scheduled amounts and subject to limits on total
11 compensation paid, for injuries resulting from regular and ordinary course of care
12 provided at nursing homes, homes for the elderly, other long-term care facilities, and
13 assisted living facilities. The results of this study, including findings and
14 recommendations for suggested legislation, shall be reported to the 2007 General
15 Assembly on or before January 1, 2007.

16 **SECTION 2.** This act becomes effective July 1, 2005.