

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005**

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**SENATE BILL 40\***

Short Title: Falsify Info/Adult Care Home License/Penalty. (Public)

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Sponsors: Senators Swindell, Dannelly, Allran; Albertson, Apodaca, Berger of Franklin, Bingham, Boseman, Dalton, Garwood, Hoyle, Jenkins, Lucas, Malone, Purcell, Rand, Snow, Stevens, and Tillman.

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Referred to: Health Care.

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February 3, 2005

A BILL TO BE ENTITLED

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2 AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN  
3 SERVICES TO IMPOSE A CIVIL PENALTY ON ANY ADULT CARE HOME  
4 LICENSURE APPLICANT WHO FALSIFIES OR OMITTS MATERIAL  
5 INFORMATION ON THE APPLICATION, AS RECOMMENDED BY THE  
6 NORTH CAROLINA STUDY COMMISSION ON AGING.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 131D-34 is amended by adding a new subsection to read:

9 "(d1) The Department shall impose a civil penalty on any applicant for licensure  
10 who provides false information or omits material information on an application. The  
11 amount of the penalty shall be as is prescribed for a Type A violation."

12 **SECTION 2.** This act becomes effective December 1, 2005, and applies to  
13 violations committed on or after that date.