

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2007**

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**HOUSE BILL 1528**

Short Title: Public Housing/Adult Care Home Demnstr. Proj. (Public)

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Sponsors: Representatives Farmer-Butterfield, Tolson, McLawhorn, Bryant (Primary Sponsors); Cotham, Daughtridge, Faison, Harrison, Luebke, and Wray.

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Referred to: Aging.

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April 17, 2007

A BILL TO BE ENTITLED

1 AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN  
2 SERVICES TO DEVELOP A NORTH CAROLINA PUBLIC HOUSING ADULT  
3 CARE HOME DEMONSTRATION PROJECT.  
4

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.(a)** The Department of Health and Human Services shall  
7 develop and implement the North Carolina Public Housing Adult Care Home  
8 Demonstration Project (Project). The purpose of the Project is to provide personal care  
9 services to Medicaid recipients residing in adult care homes who are eligible for but do  
10 not need the higher level of care provided by nursing homes. Adult care homes qualified  
11 by the Department of Health and Human Services to provide Project services are those  
12 adult care homes that are owned by, under contract with, or administered by a North  
13 Carolina Housing Authority and that provide services to Medicaid recipients under  
14 contract with the Department of Health and Human Services. The Department shall  
15 develop a comprehensive assessment tool to determine the level of support services  
16 needed for each individual qualifying for services under the Project. Medicaid recipients  
17 who are eligible for Project services are those who (i) are eligible for placement in a  
18 nursing home but who do not need the level of medical care provided by nursing homes,  
19 and (ii) whose comprehensive assessment results indicate a need for personal care  
20 services and other services that can be lawfully provided by the licensed adult care  
21 home. Medicaid funds for Project services shall be allocated under the Home and  
22 Community Care Services Medicaid waiver or the State-County Special Assistance  
23 Program, or both. Nothing in this act shall be construed to authorize adult care homes to  
24 provide services that they are not authorized by law to provide.

25 In developing the Project, the Department of Health and Human Services  
26 shall ensure that if an individual receiving Project services is determined at a later time  
27 to need medical care services, the individual shall be transferred to the appropriate

1 medical care facility. As used in this section, "adult care home" has the meaning applied  
2 under G.S. 131D-2.

3           **SECTION 1.(b)** As no new adult care homes are being developed under this  
4 Project, the Certificate of Need requirements under Chapter 131E of the General  
5 Statutes are not applicable to services provided under the Project.

6           **SECTION 1.(c)** The Department of Health and Human Services shall  
7 monitor and evaluate the qualitative benefits and cost-effectiveness of the Project  
8 authorized under Section 1 of this act. The Department shall submit progress reports  
9 annually to the House of Representatives Appropriations Subcommittee on Health and  
10 Human Services, and the Senate Appropriations Committee on Health and Human  
11 Services upon their convening, and shall also submit a copy of the report to the Fiscal  
12 Research Division of the Legislative Services office. The report shall indicate at a  
13 minimum the number of individuals served under the Project and the resulting cost  
14 savings to the State Medical Assistance Program.

15           **SECTION 2.** This act becomes effective July 1, 2007, and expires July 1,  
16 2012.