

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

**SESSION LAW 2008-184
SENATE BILL 1796**

AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ALLOW A CERTAIN INCOME DISREGARD UNDER THE SPECIAL ASSISTANCE PROGRAM.

The General Assembly of North Carolina enacts:

SECTION 1. The eligibility of Special Assistance residents residing in adult care homes on and after July 1, 2009, shall not be affected because of annual Social Security, SSI, Veteran, and Railroad Retirement Cost of Living Adjustments (COLAs). This policy shall apply only in cases where Special Assistance income eligibility is affected only by Social Security, SSI, Veteran, and Railroad Retirement COLAs and shall not render a Special Assistance recipient eligible if all other eligibility requirements are not met. The maximum monthly rate for these residents shall be the same as for all other residents according to the provisions as set in the Current Operations Appropriations Act, as amended. The Department of Health and Human Services shall apply for the approvals, if any, which are necessary to implement the policy change directed by this section.

SECTION 2. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 18th day of July, 2008.

s/ Marc Basnight
President Pro Tempore of the Senate

s/ Joe Hackney
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 1:00 p.m. this 6th day of August, 2008