

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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SENATE BILL 330

Short Title: Exempt Hospice Inpatient Facilities From CON. (Public)

Sponsors: Senators Brown (Primary Sponsor); Cook, Foushee, Pate, Robinson, and Sanderson.

Referred to: Judiciary

March 22, 2017

A BILL TO BE ENTITLED

AN ACT EXEMPTING HOSPICE INPATIENT FACILITIES FROM CERTIFICATE OF
NEED REVIEW.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 131E-176 reads as rewritten:

"§ 131E-176. Definitions.

As used in this Article, unless the context clearly requires otherwise, the following terms have the meanings specified:

...

(2) "Bed capacity" means space used exclusively for inpatient care, including space designed or remodeled for licensed inpatient beds even though temporarily not used for such purposes. The number of beds to be counted in any patient room shall be the maximum number for which adequate square footage is provided as established by rules of the Department except that single beds in single rooms are counted even if the room contains inadequate square footage. The term "bed capacity" also refers to the number of dialysis stations in kidney disease treatment centers, including freestanding dialysis units. The term "bed capacity" does not include space used as a hospice inpatient facility.

...

(9b) "Health service facility" means a hospital; long-term care hospital; psychiatric facility; rehabilitation facility; nursing home facility; adult care home; kidney disease treatment center, including freestanding hemodialysis units; intermediate care facility for the mentally retarded; home health agency office; chemical dependency treatment facility; diagnostic center; ~~hospice office, hospice inpatient facility,~~ hospice office or hospice residential care facility; and ambulatory surgical facility.

(9c) "Health service facility bed" means a bed licensed for use in a health service facility in the categories of (i) acute care beds; (ii) psychiatric beds; (iii) rehabilitation beds; (iv) nursing home beds; (v) intermediate care beds for the mentally retarded; (vi) chemical dependency treatment beds; ~~(vii) hospice inpatient facility beds;~~ (vii) hospice residential care facility beds; ~~(ix)(viii)~~ (viii) adult care home beds; and ~~(x)(ix)~~ (ix) long-term care hospital beds.

...



1 (13b) "Hospice inpatient facility" means a freestanding licensed hospice facility or
 2 a designated inpatient unit in an existing health service facility which
 3 provides palliative and supportive medical and other health services to meet
 4 the physical, psychological, social, spiritual, and special needs of terminally
 5 ill patients and their families in an inpatient setting. ~~For purposes of this~~
 6 ~~Article only, a hospital which has a contractual agreement with a licensed~~
 7 ~~hospice to provide inpatient services to a hospice patient as defined in G.S.~~
 8 ~~131E-201(4) and provides those services in a licensed acute care bed is not a~~
 9 ~~hospice inpatient facility and is not subject to the requirements in G.S.~~
 10 ~~131E-176(5)(ii) for hospice inpatient beds.~~

11 ...
 12 (16) "New institutional health services" means any of the following:

- 13 ...
 14 n. The construction, development or other establishment of a ~~hospice,~~
 15 ~~hospice inpatient facility,~~hospice or hospice residential care facility;
 16 o. The opening of an additional office by an existing home health
 17 agency or ~~hospice~~hospice, not including a hospice inpatient facility,
 18 within its service area as defined by rules adopted by the
 19 Department; or the opening of any office by an existing home health
 20 agency or ~~hospice~~hospice, not including a hospice inpatient facility,
 21 outside its service area as defined by rules adopted by the
 22 Department.

23"
 24 **SECTION 2.** This act is effective when it becomes law. Any hospice inpatient
 25 facility which had operated under a certificate of need prior to the effective date of this act shall
 26 be exempt from certificate of need review after the effective date of this act.