

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 656
HOUSE BILL 1063

AN ACT TO AMEND G.S. 130-9(e) TO PROVIDE THAT STATE INSPECTIONS OF NURSING HOMES SHALL BE GIVEN WITHOUT NOTICE AND THAT THE GIVING OF PRIOR NOTICE OF INSPECTION SHALL BE A MISDEMEANOR.

The General Assembly of North Carolina enacts:

Section 1. G.S. 130-9(e)(1), as the same appears in 1974 Replacement Volume 3B of the General Statutes, is amended by adding a new sentence at the end thereof to read as follows:

"Provided that the standards, rules and regulations adopted pursuant to this subsection shall provide that neither the Commission for Health Services nor the Department of Human Resources may give notice to the operator of a nursing home prior to inspection of the nursing home. The inspection of a facility for initial licensure shall be exempt from the requirement for no prior notice. All subsequent inspections must comply with the provisions of this act."

Sec. 2. G.S. 130-9(e)(3), as the same appears in 1974 Replacement Volume 3B of the General Statutes, is amended by adding a new sentence at the end thereof to read as follows:

"Any person acting under the authority of the Commission for Health Services or the Department of Human Resources who gives advance notice to an operator of a nursing home of the date or time that the nursing home is to be inspected shall be guilty of a misdemeanor, and upon conviction thereof, shall be liable for a fine of not more than five hundred dollars (\$500.00) or imprisonment for a period not to exceed 30 days, or both."

Sec. 3. This act shall become effective on July 1, 1977.

In the General Assembly read three times and ratified, this the 21st day of June, 1977.