

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 261
HOUSE BILL 593

AN ACT TO AUTHORIZE DAY-CARE LICENSING INSPECTIONS.

The General Assembly of North Carolina enacts:

Section 1. G.S. Chapter 110, Article 7, is amended by adding a new section to read:

"§ 110-105. Authority to inspect facilities. – (a) The Commission shall adopt standards, rules and regulations under this subsection which provide for the following types of inspections:

- (1) an initial licensing or certification inspection, which shall not occur until the administrator of the facility receives prior notice of the initial inspection or certification visit;
- (2) a plan for routine inspections of all facilities, which shall be confidential unless a court orders its disclosure, and which shall be conducted without prior notice to the facility;
- (3) an inspection that may be conducted without notice, if there is probable cause to believe that an emergency situation exists or there is a complaint alleging a violation of licensure law.

The Secretary or his designee, upon presenting appropriate credentials to the operator of the day-care facility, is authorized to perform inspections in accordance with the standards, rules and regulations promulgated under this subsection.

(b) If an operator refuses to allow the Secretary or his designee to inspect the day-care facility, the Secretary shall seek an administrative warrant in accordance with G.S. 15-27.2."

Sec. 2. This act shall become effective October 1, 1983.

In the General Assembly read three times and ratified, this the 5th day of May, 1983.