

GENERAL ASSEMBLY OF NORTH CAROLINA  
1983 SESSION

CHAPTER 858  
HOUSE BILL 1395

AN ACT TO PERMIT CERTAIN GRANTS OF CERTIFICATES OF NEED.

The General Assembly of North Carolina enacts:

Section 1. Notwithstanding any law to the contrary, the Department of Human Resources may grant a certificate of need for a project which utilizes existing ICF-MR beds currently certified in State-operated facilities by transferring these beds with the approval of the director of the State facility, the Deputy Director for Mental Retardation, Division of Mental Health, Mental Retardation and Substance Abuse Services, Department of Human Resources, and the Secretary of the Department of Human Resources to community ICF-MR facilities which meet the following criteria:

- (1) Maximum size of 15 beds per facility;
- (2) Per diem cost must be no more than the cost of the same beds in the State facility; and
- (3) All beds must be utilized for a period of at least 12 months for the transfer of clients from the State facility to the community facility, after which fifty percent (50%) of vacant beds may be utilized for noninstitutional clients.

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 20th day of July, 1983.