

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 999
SENATE BILL 741

AN ACT TO PROVIDE TIME TO STUDY THE NEED FOR AND THE PROVIDING
OF SERVICES BY HOME HEALTH AGENCIES AS ALTERNATIVES TO
INSTITUTIONAL CARE.

Whereas, the General Assembly finds that there has been a dramatic increase in the number of home health agencies providing home health services; and

Whereas, the proliferation of duplicative and underused home health agencies and services places an enormous economic burden on members of the public who pay for excess services as patients, health insurance subscribers, health plan contributors, and taxpayers; and

Whereas, time is needed to assess the impact of the recent dramatic increase in the number of home health agencies and home health services; and

Whereas, the General Assembly has determined that the general welfare and protection of lives, health and property of the people of this State require that new health services to be offered within this State be subject to review and evaluation and the Department of Human Resources needs time to establish procedures for the review and evaluation of these facilities and services; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. Notwithstanding the provisions of Article 9 of Chapter 131E of the General Statutes or of any other law, beginning on the effective date of this act, and until January 31, 1985, the Department of Human Resources shall not issue a certificate of need for:

- (1) any new or additional home health agency; or
- (2) any new or additional home health service.

This prohibition shall not apply to home health agencies and home health services for which completed applications, including the required fees, have been filed prior to July 1, 1984.

Sec. 2. Any person who has applied for a certificate of need and who has not received one due to failure to complete the application and pay the fees shall not be required to file a new application with the Department of Human Resources in order for that proposal to be reviewed after January 31, 1985. That person may request the Department to review the application that already has been filed when complete. Nonetheless, the Department of Human Resources may adopt rules requiring an applicant to review the application and update it where appropriate.

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 27th day of June, 1984.