

GENERAL ASSEMBLY OF NORTH CAROLINA  
1995 SESSION

CHAPTER 359  
SENATE BILL 1021

AN ACT TO CLARIFY THAT HOME HEALTH AGENCIES ARE RESTRICTED  
TO SERVING PATIENTS WITHIN THEIR SERVICE AREA.

The General Assembly of North Carolina enacts:

Section 1. Article 9 of Chapter 131E of the General Statutes is amended by inserting a new section to read:

**"§ 131E-180.1. Home health agency service restriction.**

A home health agency shall not provide part-time, intermittent nursing care, therapy, medical social services, and home health aide services reimbursed by Medicare and Medicaid to patients located outside its service area.

For those home health agencies for which no certificate of need was issued, the home health agency's geographic service area is only those counties in which patients were served as shown on the existing home health agency's licensure renewal form on file with the Licensure Section of the Division of Facility Services as of January 1, 1991.

For those home health agencies for which a certificate of need was issued the home health agency's geographic service area is as follows:

- (1) Where the service area is identified on the certificate of need issued to the home health agency, the agency's geographic service area is the service area identified on the certificate of need.
- (2) Where the service area is not identified on the certificate of need issued to the home health agency, the agency's geographic service area is the proposed geographic service area that is identified in the application for a certificate of need and approved by the Certificate of Need Section of the Division of Facility Services."

Sec. 2. This act is effective upon ratification. Section 1 expires at such time that the Division of Facility Services completes and implements the current rewrite of home care licensure rules, but shall be no earlier than February 1, 1996, and no later than June 30, 1996.

In the General Assembly read three times and ratified this the 30th day of June, 1995.

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Dennis A. Wicker  
President of the Senate

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Harold J. Brubaker  
Speaker of the House of Representatives