

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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HOUSE BILL 1490*

Short Title: Study Mentally Ill LTC Resident Issues. (Public)

Sponsors: Representatives Clary, Nye, Weiss (Primary Sponsors); Adams, Bell, Bordsen, Culp, Farmer-Butterfield, Fisher, Glazier, Gorman, Insko, Lewis, Luebke, Moore, and Walend.

Referred to: Health, if favorable, Appropriations.

May 17, 2004

A BILL TO BE ENTITLED

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2 AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN
3 SERVICES TO STUDY ISSUES RELATED TO MENTALLY ILL RESIDENTS
4 IN LONG-TERM CARE FACILITIES, AS RECOMMENDED BY THE NORTH
5 CAROLINA STUDY COMMISSION ON AGING.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** The Department of Health and Human Services shall work
8 with long-term care providers and advocates for the elderly and the mentally ill to study
9 issues concerning the care of mentally ill individuals residing in long-term care
10 facilities. The study shall include:

- 11 (1) Examining whether current State statutes and Departmental rules
12 adequately address the populations served by long-term care facilities.
13 (2) Exploring the development of separate licensure categories within the
14 adult care home and nursing home designations to address the various
15 populations being served.
16 (3) Examining adult care home rules to determine whether they are easy to
17 understand, attainable under current staffing patterns, give appropriate
18 guidance to facility operators according to the needs and
19 characteristics of residents served, support residents' freedom of
20 choice, and whether they support the autonomy, dignity, and
21 independence philosophy of assisted living.
22 (4) Determining the most effective way to identify mentally ill individuals
23 that have mental health treatment needs.
24 (5) Examining the criteria for admission of mentally ill individuals to
25 long-term care facilities to ensure that the health and safety of all
26 residents are safeguarded.

1 (6) Providing recommendations for improving the quality of care for
2 mentally ill individuals in adult care homes and nursing homes
3 including the potential cost associated with implementing the
4 recommendations.

5 **SECTION 2.** The Department shall report its findings and recommendations
6 to the North Carolina Study Commission on Aging by October 1, 2005. The
7 Department of Health and Human Services shall include in this report how it defines
8 "mentally ill" for purposes of this study.

9 **SECTION 3.** The Department of Health and Human Services may use up to
10 one hundred fifty thousand dollars (\$150,000) of funds appropriated to it for the
11 2004-2005 fiscal year to contract for the study required in this act.

12 **SECTION 4.** This act is effective when it becomes law.