GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2003

H HOUSE BILL 346

Short Title: Emerg. Generators/Nursing & Adlt Care Homes. (Public)

Sponsors: Representatives Moore; L. Allen, Bowie, Insko, Pate, and Setzer.

Referred to: Health.

March 6, 2003

A BILL TO BE ENTITLED
AN ACT TO REQUIRE THAT NURSING HOMES AND ADULT

AN ACT TO REQUIRE THAT NURSING HOMES AND ADULT CARE HOMES HAVE EMERGENCY GENERATORS FOR USE DURING POWER OUTAGES.

The General Assembly of North Carolina enacts:

SECTION 1. Effective January 1, 2004, Part 1 of Article 6 of Chapter 131E of the General Statutes is amended by adding the following new section to read:

"§ 131E-114.2. Emergency electrical service required.

Notwithstanding any other provision of law to the contrary, all nursing homes, combination homes, and adult care homes, as those terms are defined in G.S. 131E-101, licensed and operating in this State shall provide emergency electrical service for use in the event of failure of the normal electrical service. Emergency electrical service shall be sufficient to provide heat, lighting, and other essential electrical services as required by rules of the Medical Care Commission."

SECTION 2. Effective January 1, 2004, G.S. 131D-2(b)(1a) reads as rewritten:

"§ 131D-2. Licensing of adult care homes for the aged and disabled.

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(b) Licensure; inspections. –

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(1a) In addition to the licensing and inspection requirements mandated by subdivision (1) of this subsection, the Department shall ensure that adult care homes required to be licensed by this Article are monitored for licensure compliance on a regular basis. In carrying out this requirement, the Department shall work with county departments of social services to do the routine monitoring and to have the Division of Facility Services oversee this monitoring and perform any follow-up inspection called for. The Department shall monitor regularly the enforcement of rules pertaining to air circulation, ventilation, and room temperature in resident living quarters. These rules shall include the

1	requirement that air conditioning or at least one fan per resident
2	bedroom and living and dining areas be provided when the
3	temperature in the main center corridor exceeds 80 degrees Fahrenheit.
4	The Department shall ensure that adult care homes required to be
5	licensed by this Article provide emergency electrical service for use in
6	the event of failure of the normal electrical service. The emergency
7	electrical service shall be sufficient to provide heat, lighting, and other
8	essential electrical services as required by rules adopted by the
9	Medical Care Commission. The Department shall also keep an
10	up-to-date directory of all persons who are administrators as defined in
11	subdivision (1a) of subsection (a) of this section."
12	SECTION 3. This act is effective when it becomes law.

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