

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007**

**H**

**1**

**HOUSE BILL 1438**

Short Title:   Incr. Pers.Care Svc.Hrs/Spec. Assist.Rates. (Public)

---

Sponsors:   Representatives England; Alexander, Faison, Farmer-Butterfield, Fisher,  
                  Harrison, and Luebke.

---

Referred to:  Aging, if favorable, Appropriations.

---

April 16, 2007

A BILL TO BE ENTITLED  
AN ACT TO INCREASE THE AMOUNT OF PERSONAL CARE SERVICE HOURS  
FOR ADULT CARE HOME RESIDENTS, AND TO INCREASE THE  
STATE-COUNTY SPECIAL ASSISTANCE RATE.

Whereas, ratios for direct care staff of one for every 20 adult care home residents on first and second shifts and one staff for every 30 adult care home residents on third shift are not adequate to keep residents safe; and

Whereas, the Center for Medicare and Medicaid Services (CMS) has stated that the Department of Health and Human Services, Division of Medical Assistance, must assure that adult care home personal care service hours are comparable to reimbursement for personal care services in the home; and

Whereas, it is the intent of the General Assembly to improve quality of care in adult care homes; Now, therefore,

The General Assembly of North Carolina enacts:

**SECTION 1.** Effective July 1, 2007, the Department of Health and Human Services, Division of Medical Assistance, shall increase the amount of allowable basic personal care service hours for adult care home residents to two hours per resident per day.

**SECTION 2.** Effective October 1, 2007, the Department of Health and Human Services, Division of Medical Assistance, shall increase the State-County Special Assistance rate in accordance with G.S. 131D-4.2(h) and rules adopted thereunder.

**SECTION 3.** This act becomes effective July 1, 2007.