

March 24, 2009

**S 800. ALLOW UNPAID INVESTIGATORY SUSPENSIONS/DHHS.** Filed 3/24/09. *TO ALLOW CERTAIN PERMANENT EMPLOYEES OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO BE PLACED ON INVESTIGATORY SUSPENSION WITHOUT PAY AND WITHOUT WARNING.*

Enacts new GS 122C-181(d) (Secretary's jurisdiction over state facilities) and GS 143B-146.21(f) (Policies, reports, and other miscellaneous provisions) to provide that, notwithstanding GS 115C-325, the Department of Health and Human Services (DHHS) may place any permanent employee of any facility or school operated by the Secretary of Health and Human Services (Secretary) on investigatory suspension without pay and without warning if the employee is accused of abuse, neglect, or exploitation of a patient, client, student, or other person over whom DHHS has charge, in order to protect the safety of persons or property or other serious reasons. Requires that DHHS (1) provide the employee with written reasons for the suspension not later than the employee's second scheduled workday after the beginning of the suspension and (2) within 15 days after placing the employee on suspension, initiate procedures for dismissal, demotion, or disciplinary suspension without pay, as applicable. If it is finally determined that no grounds for dismissal, demotion, or disciplinary suspension without pay exists, then the employee must be reinstated immediately paid for the period of investigatory suspension and the records of suspension must be removed from the employee's personnel file. Provides that placement on investigatory suspension does not affect health insurance coverage, retirement and state service credits, longevity credits, or other earned benefits during the period of the suspension. Effective for charges of abuse, neglect, or exploitation made on or after October 1, 2009, against permanent employees of facilities or schools operated by the Secretary.

**Intro. by Rand.**

GS 122C, 143B

April 22, 2009

**S 800. ALLOW UNPAID INVESTIGATORY SUSPENSIONS/DHHS.** Filed 3/24/09. Senate committee substitute makes the following changes to 1st edition. Clarifies in proposed GS 122C-181(d) and GS 143B-147.21(f) that, notwithstanding GS 115C-325 and GS 126-35, the Department of Health and Human Services (DHHS) may place any permanent employee of any facility or school operated by the Secretary of Health and Human Services on investigatory suspension without pay and without warning if the employee is accused of abuse, neglect, or exploitation of a patient, client, student, or other person over whom DHHS has charge, in order to protect the safety of persons or property or other serious reasons. Makes other technical changes.

May 5, 2009

**S 800. ALLOW UNPAID INVESTIGATORY SUSPENSIONS/DHHS.** Filed 3/24/09. Senate amendment makes the following changes to 2nd edition. Amends proposed GS 122C-181(d) (related to the Secretary of Health and Human Services' jurisdiction over state facilities) and GS 143B-146.21(f) [Department of Health and Human Services (DHHS) policies, reports, and other miscellaneous provisions] to provide that, within 10 days (was, 15 days) after placing an employee accused of abuse, neglect, or exploitation of a patient, client, student, or other person over whom DHHS has charge on suspension, DHHS must initiate procedures for dismissal, demotion, or disciplinary suspension without pay, as applicable.