

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019**

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HOUSE BILL 1196

Short Title: Funds/COVID-19 Tests & PPE for Congregate Lvg. (Public)

Sponsors: Representatives Richardson, Morey, Holley, and Autry (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Appropriations, if favorable, Rules, Calendar, and Operations of the House

May 26, 2020

A BILL TO BE ENTITLED
AN ACT REQUIRING MANDATORY WEEKLY TESTING OF STAFF IN CONGREGATE
LIVING SETTINGS; AND APPROPRIATING CORONAVIRUS RELIEF FUNDS TO
THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO PURCHASE
COVID-19 DIAGNOSTIC TESTS AND PERSONAL PROTECTIVE EQUIPMENT FOR
DISTRIBUTION TO CONGREGATE LIVING SETTINGS.

The General Assembly of North Carolina enacts:

SECTION 1. As used in this act, congregate living settings include nursing homes and other residential care facilities, other than correctional facilities, designated as congregate living settings by the Department of Health and Human Services, Division of Health Service Regulation (DHSR).

SECTION 2. Each person who owns, manages, operates, or otherwise controls a congregate living setting shall require all staff working on the same premises as residents of the congregate living setting to undergo a COVID-19 diagnostic test at least once each week. The purpose of the weekly testing required by this section is to detect and restrict from the premises any staff with a positive test result for an appropriate length of time to prevent COVID-19 transmission within the congregate living setting. The DHSR shall enforce the provisions of this section and, within available appropriations, distribute free of charge to each congregate living setting subject to the requirements of this section, a sufficient amount of COVID-19 diagnostic tests and personal protective equipment to conduct the weekly testing required by this section.

SECTION 3.(a) The State Controller shall transfer the sum of twelve million dollars (\$12,000,000) in nonrecurring funds for the 2019-2020 fiscal year from the Coronavirus Relief Reserve established by Section 2.1 of S.L. 2020-4, to the Coronavirus Relief Fund established by Section 2.2 of that act.

SECTION 3.(b) There is appropriated from the Coronavirus Relief Fund established by Section 2.2 of S.L. 2020-4 to the Office of State Budget and Management the sum of twelve million dollars (\$12,000,000) in nonrecurring funds, to be allocated to the DHSR to purchase and distribute all of the following free of charge to each congregate living setting subject to the requirements of Section 2 of this act:

- (1) COVID-19 diagnostic test kits for the purpose of complying with the weekly staff testing requirement set forth in Section 2 of this act.
- (2) Personal protective equipment for staff, such as respiratory masks and gloves, that meets federal Centers for Disease Control and Prevention standards and guidelines.



1 **SECTION 3.(c)** The funds appropriated in this section shall not revert at the end of
2 the 2019-2020 fiscal year but shall remain available to expend until December 30, 2020.

3 **SECTION 4.** Nothing in this act shall be construed as an obligation by the General
4 Assembly to appropriate funds for the purposes of this act, or as an entitlement to any congregate
5 living setting, or its staff, to receive COVID-19 diagnostic test kits or personal protective
6 equipment purchased with State funds for the purpose of complying with Section 2 of this act.

7 **SECTION 5.** By March 1, 2021, the DHSR shall provide a report to the House
8 Appropriations Committee on Health and Human Services, the Senate Appropriations
9 Committee on Health and Human Services, and the Joint Legislative Oversight Committee on
10 Health and Human Services detailing the use of funds appropriated under this act. The report
11 shall include a list of the specific congregate living settings that are recipients of COVID-19
12 diagnostic tests and personal protective equipment purchased with funds appropriated under this
13 act.

14 **SECTION 6.** This act is effective when it becomes law and expires on the date the
15 Governor signs an executive order rescinding Executive Order No. 116 (2020), Declaration of a
16 State of Emergency to Coordinate Response and Protective Actions to Prevent the Spread of
17 COVID-19.