

GENERAL ASSEMBLY OF NORTH CAROLINA
1997 SESSION

S.L. 1997-73
HOUSE BILL 143

AN ACT TO CHANGE THE ANNUAL COST REPORTING REQUIREMENTS OF
ADULT CARE HOMES TO THE DEPARTMENT OF HUMAN RESOURCES
AND TO CHANGE THE DEPARTMENT'S ENFORCEMENT PROVISIONS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 131D-4.2(e) reads as rewritten:

"(e) The first audited cost report shall be for the period from January 1, 1995, through September 30, 1995, and shall be due March 1, 1996. Thereafter, the annual reporting period for facilities licensed pursuant to this Chapter or Chapter 131E of the General Statutes shall be October 1 through September 30, with the annual report due by the following ~~March 1.~~ December 31, unless the Department determines there is good cause for delay. The annual reporting period for facilities licensed pursuant to Chapter 122C of the General Statutes shall be July 1 through June 30, with the annual report due by the following December 31, unless the Department determines there is good cause for delay. Under this subsection, good cause is an action that is uncontrollable by the provider. If the Department finds good cause for delay, it may extend the deadline for filing a report for up to an additional 30 days."

Section 2. G.S. 131D-4.2(g) reads as rewritten:

"(g) The Department shall suspend admissions to facilities that fail to submit annual reports by December 31, or by the date established by the Department when good cause for delay is found pursuant to G.S. 131D-4.2(e). Suspension of admissions shall remain in effect until reports are submitted or licenses are suspended or revoked under subdivision (2) of this subsection. The Department may take either or both of the following actions to enforce compliance by a facility with this section, or to punish noncompliance:

- (1) Seek a court order to enforce compliance;
- (2) Suspend or revoke the facility's license, subject to the provisions of Chapter 150B of the General Statutes."

Section 3. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 14th day of May, 1997.

s/ Marc Basnight
President Pro Tempore of the Senate

s/ Harold J. Brubaker

Speaker of the House of Representatives

s/ James B. Hunt, Jr.
Governor

Approved 9:55 a.m. this 22nd day of May, 1997