

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 206

Short Title: GPAC/ICF/MR Con Moratorium.

(Public)

Sponsors: Senators Martin of Guilford; and Blackmon.

Referred to: Government Performance Audit.

February 17, 1993

A BILL TO BE ENTITLED

1 AN ACT TO IMPLEMENT A RECOMMENDATION OF THE GOVERNMENT
2 PERFORMANCE AUDIT COMMITTEE TO PLACE A MORATORIUM ON
3 NEW CERTIFICATES OF NEED FOR INTERMEDIATE CARE FACILITIES
4 FOR THE MENTALLY RETARDED.
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6 The General Assembly of North Carolina enacts:

7 Section 1. The General Assembly finds that intermediate care facilities for
8 the mentally retarded (ICFs/MR) continue to be developed in North Carolina even
9 though most states have decreased the number of individuals residing in these facilities
10 and that North Carolina continues to admit a significant number of individuals to State-
11 operated ICFs/MR while most other states are moving to deinstitutionalize the mentally
12 retarded. The General Assembly further finds that North Carolina rates for private
13 ICFs/MR are ranked among the highest in the country.

14 Sec. 2. Effective July 1, 1993, through June 30, 1995, the Division of Facility
15 Services, Department of Human Resources, shall not grant a Certificate of Need for the
16 development of any new intermediate care facility for the mentally retarded. The
17 Department of Human Resources shall ensure that stringent screening and assessment
18 take place to ensure appropriate utilization of home- and community-based services that
19 will be required during the moratorium and to avoid a sudden surge in the growth of
20 new beds, after the moratorium is lifted.

21 Sec. 3. The base budget of the Division of Medical Assistance, Department
22 of Human Resources, is reduced by two million four hundred thousand dollars
23 (\$2,400,000) for the 1994-95 fiscal year due to the implementation of this act.

1 Sec. 4. This act becomes effective July 1, 1993, and applies to applications
2 for new certificates of need received on or after that date.