

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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HOUSE BILL 815

Short Title: Detox Facilities Not Subject to CON.

(Public)

Sponsors: Representatives Alexander; and Insko.

Referred to: Health.

April 1, 2003

A BILL TO BE ENTITLED

1 AN ACT TO AMEND THE DEFINITION OF CHEMICAL DEPENDENCY
2 TREATMENT FACILITY TO PROVIDE THAT SOCIAL SETTING
3 DETOXIFICATION FACILITIES AND MEDICAL DETOXIFICATION
4 FACILITIES ARE NOT CHEMICAL DEPENDENCY TREATMENT
5 FACILITIES FOR THE PURPOSES OF CERTIFICATE OF NEED
6 REQUIREMENTS AND TO AMEND THE DEFINITION OF CHEMICAL
7 DEPENDENCY TREATMENT BED TO PROVIDE THAT BEDS LICENSED
8 FOR DETOXIFICATION ARE NOT CHEMICAL DEPENDENCY TREATMENT
9 BEDS FOR THE PURPOSES OF CERTIFICATE OF NEED REQUIREMENTS.
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11 The General Assembly of North Carolina enacts:

12 **SECTION 1.** G.S. 131E-176(5a) reads as rewritten:

13 "(5a) "Chemical dependency treatment facility" means a public or private
14 facility, or unit in a facility, which is engaged in providing 24-hour a
15 day treatment for chemical dependency or substance abuse. This
16 treatment may include detoxification, administration of a therapeutic
17 regimen for the treatment of chemically dependent or substance
18 abusing persons and related services. The facility or unit may be:

- 19 a. A unit within a general hospital or an attached or freestanding
20 unit of a general hospital licensed under Article 5, Chapter
21 131E, of the General Statutes,
22 b. A unit within a psychiatric hospital or an attached or
23 freestanding unit of a psychiatric hospital licensed under Article
24 1A of General Statutes Chapter 122 or Article 2 of General
25 Statutes Chapter 122C,
26 c. A freestanding facility specializing in treatment of persons who
27 are substance abusers or chemically dependent licensed under
28 Article 1A of General Statutes Chapter 122 or Article 2 of
29 General Statutes Chapter 122C; and may be identified as

1 "chemical dependency, substance abuse, alcoholism, or drug
2 abuse treatment units," "residential chemical dependency,
3 substance abuse, alcoholism or drug abuse facilities," "~~social
4 setting detoxification facilities~~" and "~~medical detoxification
5 facilities,~~"—or by other names if the purpose is to provide
6 treatment of chemically dependent or substance abusing
7 persons, but shall not include social setting detoxification
8 facilities, medical detoxification facilities, halfway houses or
9 recovery farms."

10 **SECTION 2.** G.S. 131E-176(5b) reads as rewritten:

11 "(5b) "Chemical dependency treatment beds" means beds that are licensed
12 ~~for detoxification or~~ for the inpatient treatment of chemical
13 dependency. Residential treatment beds for the treatment of chemical
14 dependency or substance abuse are chemical dependency treatment
15 beds. Chemical dependency treatment beds shall not include beds
16 licensed for detoxification."

17 **SECTION 3.** This act is effective when it becomes law.