



North Carolina Department of Health and Human Services
Division of Health Service Regulation
Adult Care Licensure Section

2708 Mail Service Center • Raleigh, North Carolina 27699-2708
<http://www.ncdhhs.gov/dhsr/>

Drexdal Pratt, Director

Beverly Eaves Perdue, Governor
Lanier M. Cansler, Secretary

Barbara Ryan, Chief
Phone: 919-855-3765
Fax: 919-733-9379

Memorandum

To: NC Adult Care Home & Family Care Home Providers

From: Barbara Ryan, ACLS Chief

Date: September 29, 2011

Re: Implementation of New Laws Effective October 1, 2011 & New Forms

Several new laws effecting adult care home and family care home facilities go into effect on October 1, 2011. In order to implement these new laws, a few changes will occur and are outlined below. If you have any questions, feel free to send them via email to DHSR.AdultCare.Questions@lists.ncmail.net.

Discharge of Adult Care Home Residents (Session Law 2011-272/House Bill 677)

Effective October 1, 2011, if at the time of a resident's discharge an appropriate discharge destination has not been found for the resident, the facility shall convene the local "Adult Care Home Resident Discharge Team" to assist facilities with finding placement for a resident. The ACH Resident Discharge Team consists of the Local Department of Social Services, the Local Management Entity (LME), and the Regional Long Term Care Ombudsman (if requested by the resident).

As a result of this new law, the "Adult Care Home Notice of Transfer/Discharge" form and the "Adult Care Home Hearing Request" form have been revised. Copies of these revised forms are attached to this memo and are available on the ACLS website at <http://www.ncdhhs.gov/dhsr/acls/acforms.html>.

If you have any questions regarding how to contact the ACH Resident Discharge Team for your facility, please contact your local county Department of Social Services Adult Services office.

In addition, the law requires facilities to obtain (upon admission) the name of an individual that the resident wishes to receive a copy of the 30 day notice of discharge in the event that the resident is discharged from the facility. To assist facilities in capturing this information on admission, the "Resident Register" form has been revised to include a section for the documentation of this information.



This requirement pertains to residents admitted on or after October 1, 2011.

The revised "Resident Register" is attached to this memo and is available on the ACLS website at <http://www.ncdhhs.gov/dhsr/acls/acforms.html> .

Informal Dispute Resolution (Session Law 2011-258/House Bill 808)

The purpose of Informal Dispute Resolution (IDR) is to offer adult care licensees the opportunity to dispute deficiencies cited on or after October 1, 2011 with the entity responsible for regulating and licensing the facility. If the licensee believes that a specific deficiency or any finding within a deficiency cited during an inspection is factually inaccurate and would like the opportunity to dispute the specific deficiency and/or finding(s) or the level of the violation, the licensee will be given one opportunity to do so.

Specific guidelines for the IDR procedure and how facilities can request an IDR conference are available on the ACLS website at <http://www.ncdhhs.gov/dhsr/acls/idr.html>.

Waive Annual Inspections Based on Star Ratings (Session Law 2011-258/House Bill 808)

This new law allows DHSR to inspect facilities that have achieved the highest star rating (4 stars) once every two years instead of annually. ACLS is continuing to complete this year's annual inspection cycle. 4 star facilities that have not had a survey this past year (July 1, 2010-June 30, 2011) are still on schedule to have one. Due to the high number of 4 star facilities, these facilities will be incorporated into the survey schedule to ensure that the 2 year cycle is not exceeded.

Please note that if at any time the facility rating decreases to three star or less (i.e., based on complaint visit with deficiencies), the facility will be placed back on an annual inspection cycle.

Attachments:

Adult Care Home Notice of Transfer/Discharge (DMA 9052 (Rev.10-11))

Adult Care Home Hearing Request (DMA 9053 (Rev.10-11))

Resident Register Form (DHSR/AC 4207 (Rev. 09/11) NCDHHS)