

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL 787

Short Title: Redefine Hospice Facilities/Licensure & CON.

(Public)

Sponsors: Senator Hise (Primary Sponsor).

Referred to: Rules and Operations of the Senate

May 2, 2024

A BILL TO BE ENTITLED

AN ACT REDEFINING THE TERMS "HOSPICE INPATIENT FACILITY" AND "HOSPICE RESIDENTIAL CARE FACILITY" FOR PURPOSES OF THE HOSPITAL LICENSURE ACT AND CERTIFICATE OF NEED REVIEW; AND APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF HEALTH SERVICE REGULATION, TO SUPPORT ENFORCEMENT OF STATE LICENSURE AND CERTIFICATE OF NEED LAWS PERTAINING TO THESE FACILITIES.

The General Assembly of North Carolina enacts:

SECTION 1.(a) G.S. 131E-201(3a) reads as rewritten:

"(3a) "Hospice inpatient facility" means a freestanding licensed hospice facility or a designated inpatient unit in an existing health service facility ~~which that~~ provides palliative and supportive medical and other health services to meet the physical, psychological, social, spiritual, and special needs of terminally ill ~~patients~~ patients, patients 20 years old or younger who have been diagnosed with limited life expectancy, and their families in an inpatient setting."

SECTION 1.(b) G.S. 131E-201(5a) reads as rewritten:

"(5a) "Hospice residential care facility" means a freestanding licensed hospice facility ~~which that~~ provides palliative and supportive medical and other health services to meet the physical, psychological, social, spiritual, and special needs of terminally ill ~~patients~~ patients, patients 20 years old or younger who have been diagnosed with limited life expectancy, and their families in a group residential setting."

SECTION 1.(c) G.S. 131E-176(13b) reads as rewritten:

"(13b) Hospice inpatient facility. – A freestanding licensed hospice facility or a designated inpatient unit in an existing health service facility ~~which that~~ provides palliative and supportive medical and other health services to meet the physical, psychological, social, spiritual, and special needs of terminally ill ~~patients~~ patients, patients 20 years old or younger who have been diagnosed with limited life expectancy, and their families in an inpatient setting. For purposes of this Article only, a hospital ~~which that~~ has a contractual agreement with a licensed hospice to provide inpatient services to a hospice patient as defined in G.S. 131E-201(4) and provides those services in a licensed acute care bed is not a hospice inpatient facility and is not subject to the requirements in sub-subdivision (5)b. of this section for hospice inpatient beds."

SECTION 1.(d) G.S. 131-176(13c) reads as rewritten:



1 "(13c) Hospice residential care facility. – A freestanding licensed hospice facility
2 ~~which~~that provides palliative and supportive medical and other health
3 services to meet the physical, psychological, social, spiritual, and special
4 needs of terminally ill ~~patients~~patients, patients 20 years old or younger who
5 have been diagnosed with limited life expectancy, and their families in a group
6 residential setting."

7 **SECTION 2.** Effective July 1, 2024, there is appropriated from the General Fund to
8 the Department of Health and Human Services, Division of Health Service Regulation, the sum
9 of fifty thousand dollars (\$50,000) in recurring funds for the 2024-2025 fiscal year to be allocated
10 and used to support enforcement of State licensure and certificate of need laws pertaining to
11 hospice inpatient facilities and hospice residential care facilities, as those terms are defined in
12 G.S. 131E-201 and G.S. 131E-176, respectively, as amended by Section 1 of this act.

13 **SECTION 3.** Except as otherwise provided, this act is effective when it becomes
14 law.