

Legislation Passed in the 2017 Legislative Session of Special Interest to Aging Advocates/Members of the N.C. Coalition on Aging

In addition to the Budget Bill (S.B. 257), in 2017 the North Carolina General Assembly passed numerous bills which impact older adults and/or agencies and organizations that are Coalition members. Key bills passed included:

H.B. 57 (Enact Physical Therapy Licensure Compact): - Establishes a physical therapy licensure compact to facilitate the interstate practice of physical therapy and eases occupational licensing burdens on military families.

H.B. 84 (Drivers License/Deaf or Hard of Hearing Designation) – Directs the Division of Motor Vehicles to develop a designation for drivers licenses (unique symbol on the front of a person’s license) that may be granted upon request to a person who is deaf or hard of hearing.

H.B. 115 (Retirement Technical Corrections Act of 2017, Agency Bill) – Makes technical corrections and other conforming changes to the laws governing the Teachers’ and State Employees’ Retirement System, the Local Government Employees’ Retirement System, and other related statutes.

H.B. 176 (Pensions Integrity Act of 2017, Agency Bill) – Makes changes that will assist in preventing and detecting fraud, waste, and abuse and in ensuring the fiscal integrity of the Teachers’ and State Employees Retirement System, the retiree health benefit, and the Local Government Employees’ Retirement System.

H.B. 183 (Retirement Administrative Changes Act of 2017, Agency Bill) – Makes clarifying and administrative changes to the Teachers’ and State Employees’ Retirement System, the Local Government Employees’ Retirement System, and other related statutes.

H.B. 208 (Occupational Therapy/ Choice of Provider): Ensures that patients have the right to choose their occupational therapist under their health benefit plans.

H.B. 236 (NC Administrative Office of the Courts Omnibus Bill): - Among other things provides for the clerk to extend the time for filing inventory in the property of the deceased and amends how costs in administration of estates are assessed.

H.B. 248 (Ombudsmen Changes/DHHS Study): Makes changes to the adult care home and nursing home community advisory committees (function as representatives of the Office of the State Long-Term Care Ombudsman) to conform to the U.S. Administration for Community Living rules and recent changes to the State Long-Term Care Ombudsman program and directs the Department of Health and Human Services to study the HOPE (HIV Organ Policy Equity)

Act and related federal regulations and to make recommendations to the Joint Legislative Oversight Committee on Health and Human Services.

H.B. 256 (Appointments Bill): Appoints persons to various public offices upon the recommendation of the Speaker of the House of Representatives, President Pro Tempore of the Senate, and the majority and minority leaders of the House of Representatives and Senate and makes several technical changes. Among the appointments are persons named to entities related to the work of Coalition members including the North Carolina Interpreter and Transliterator Licensing Board; the Justice-Warren Heart Disease and Stroke Prevention Task Force; the Commission for Mental Health, Developmental Disabilities, and Substance Abuse Services; the Rules Review Commission; the Board of Trustees of the State Health Plan for Teachers and State Employees; the Board of Trustees of the Teachers' and State Employees' Retirement System; the North Carolina Housing Finance Agency Board of Directors; the North Carolina Institute of Medicine Board of Directors; the North Carolina Housing Partnership; and the North Carolina Board of Nursing.

H.B. 283 (DHHS Recommend Telemedicine Policy) – Requires the Department of Health and Human Services to study and recommend a telemedicine policy.

H.B. 299 (State Health Plan Administrative Changes, Agency Bill) – Makes clarifying and administrative changes to the laws relating to the North Carolina State Health Plan for Teachers and State Employees.

H.B. 399 (Stop Images Taken Without Consent from Dissemination): Protects persons who are photographed, videotaped, or recorded without their consent from having his or her image disclosed.

H.B. 466 (The Pharmacy Patient Fair Practice Act) – Pertains to the regulation of pharmacy benefit managers. Spells out consumer protections as well as pharmacy and pharmacist protections.

H.B. 528 (Budget Technical Corrections) – Among other things in this bill, Part III (Health and Human Services), Section 3.1 specifies that Part XI of Budget Bill is amended by adding a new section which reads “Section 11A.5A. Notwithstanding any other provision of law or descriptive language to the contrary in the Committee Report described in Section 39.2 of this act, recurring funds appropriated in this act to the Department of Health and Human Services, Division of Central Management and Support, for each fiscal year of the 2017-2019 fiscal biennium to support the development of an Alzheimer’s Registry shall be accomplished through the Bryan Alzheimer’s Disease Research Center at Duke University Medical Center.”

Part VI (General Government) Section 6.1 of the bill also specifies that the Department of Military and Veterans Affairs shall not close any of the State’s veteran’s cemeteries, including

the Eastern Carolina State Veterans' Cemetery in Goldsboro (specified the budget shall be realigned to ensure operational costs).

H.B. 550 (Establish New Nurse Licensure Compact) – Repeals and replaces North Carolina's current Nurse Licensure Compact. Allows certified nurses to practice in any state that is part of the Compact without having to get recertified.

H.B. 630 (Ryan's Law/Family/Child Protection and Accountability Act): Broad bill aimed at reforming the child welfare system in the state. Also has implications for adult services provided by County Departments of Social Services including key provisions noted as follows: Charges the Department of Health and Human Services to develop a plan for establishing regional offices charged with the supervision of administration of social services at the local level. The plan is to also identify any legislative and regulatory changes necessary to improve regional collaboration among county or regional social service agencies or programs. In developing the plan, the Department is to take into consideration the recommendations of the Social Services Regional Supervision and Collaborative Working Group that is to be convened by the School of Government at UNC Chapel Hill. The co-chairs of the Working Group may, at their discretion, establish ad hoc subcommittees involving experts and representatives of stakeholder organizations (AARP North Carolina is one of the groups listed) to provide information and offer recommendations related to their areas of expertise and interest. The Working Group is to develop recommendations for the regional supervision and collaboration plan.

The bill also stipulates that the Office of State Budget and Management, in consultation with the Department of Health and Human Services, is to develop and issue a request for proposal no later than September 30, 2017, to contract with a third-party organization to develop a plan to reform the State supervision and accountability for the social service system, including child welfare, adult protective services and guardianship, public assistance, and child support enforcement. A Social Services System Transparency and Wellness Dashboard that will collect data from the North Carolina Families Accessing Services Through Technology (NC FAST) system is also to be created. This Dashboard is to serve as a report card and include regular reports of the components of social services including, at a minimum, child welfare, adult services, public assistance, and child support enforcement. In addition, the bill addresses the creation of regional social services departments.

H.B. 657 (Improve Adult Care Home Regulation) – Modifies laws pertaining to the licensure of adult care homes; provisions related to the inspections, monitoring, and review by the Division of Health Service Regulation and the County Department of Social Services; and the issuing of star ratings to a facility. The bills also directs the Department of Health and Human Services to conduct a study of the North Carolina Star Rated Certificate Program to evaluate the effectiveness of the program in providing information to consumers of adult care home services, to examine potential evidence-based alternatives, and to make recommendations for any

regulatory or legislative changes that could result in improvement of the current system. Findings and recommendations are due to the Joint Legislative Oversight Committee on Health and Human Services and the Fiscal Research Division of the General Assembly by October 1, 2018.

S.B. 62 (Veterans' Affairs Commission/Strategic Plan): - Requires the Veterans' Affairs Commission to adopt a comprehensive strategic plan, that is to be updated every four years, to enhance benefits for veterans and their dependents and requires the Department of Military and Veterans' Affairs to study program outcomes for military veterans and their families.

S.B. 64 (Veterans' History Awareness Month): - Establishes Veterans' History Awareness Month in November and directs the State Board of Education to develop recommended programs for use in schools during the Month that enable students to gain a better understanding of the meaning and importance of the contributions of American veterans and, in particular, veterans in North Carolina.

S.B. 567 (Reform/Correct/Wills and Trusts): - Provides for the judicial reformation of wills to correct mistakes and the judicial modifications of wills to achieve the testator's tax objectives and revises the North Carolina Uniform Trust Code to achieve consistency in the reformation of trusts with in the reformation of trusts with the reformation of wills, as recommended by the General Statutes Commission.

S.B. 569 (Uniform Power of Attorney Act) – Adopts the Uniform Power of Attorney Act in this state.