Revised October 2019

SUMMARY OF STANDARDS FOR NC FACILITIES FOR SUPPLEMENTAL SECURITY INCOME RECIPIENTS (2019-2020)

The Keys Amendment, section 1616(e) of the Social Security Act, requires each state to publish summaries of standards for facilities or institutions in which the state determines that a "significant number" of Supplemental Security Income (SSI) recipients reside or may reside. It also requires each state to make these summaries available annually for public review, including the name and address of each standard-setting authority from which interested individuals may obtain further information about full standards, enforcement procedures, waivers of standards and violations. The North Carolina Department of Health and Human Services, Division of Aging and Adult Services, submits the following summaries of standards and other information in order to comply with the intent of the Keys Amendment.

1. Rules for the Licensing of Adult Care Homes with 7 or more beds, and Family Care Homes.

   The following types of homes have a substantial number of residents who receive SSI. Each of these homes must be licensed by the Department of Health and Human Services and meet standards adopted by the North Carolina Medical Care Commission. They are: Adult Care Homes with 7 or more beds, and Family Care Homes (2-6 beds).

   The Rules for Licensing for these types of homes contain requirements for personnel; building safety; construction and size; fire safety; personal care and health care services; meaningful activities; medical policies; record keeping, resident assessment and reassessment and other areas. Copies of Licensure Rules may be accessed at the website:

   http://www.ncdhhs.gov/dhsr/testrules.htm

   For information about enforcement procedures and violations of rules, write to the Division of Health Service Regulation Adult Care Licensure, 801 Biggs Drive, 2708 Mail Service Center, Raleigh, North Carolina 27699-2708 or call :919-855-3765 or access the website:

   http://www.ncdhhs.gov/dhsr/acls/adultcarehomefines.html

2. Standards for Specialized Community Residential Centers for Individuals with Developmental Disabilities

   A specialized community residential facility is defined as a program which includes care, treatment, and developmental training for individuals outside of their own home for 24 hours per day over an extended period of time.

   Programs are designed to serve individuals with developmental and other significant disabilities who require integrated medical/therapeutic services and close supervision.

   The service delivery program and its physical plant are structured philosophically and conceptually on a developmental model. Specialized Community Residential Programs

are directed to serve the developmental needs of those in residence while providing for the medical concerns as a component of the total program for the individual.

The standards applicable to these programs are Mental Health Licensure Rules and Client Rights Rules which have been approved by the Commission of Mental Health, Developmental Disabilities and Substance Abuse Services.

Standards include requirements for administration; screenings, admission and discharge; developmental programming; staffing; records; personnel policies; care and supervision; staff development; health care; family services; safety; nutrition; physical facility and program evaluation. Each program is reviewed annually by the Division of Health Service Regulation. In addition, each program may be monitored by their respective Local Management Entity/Managed Care Organization.

Copies of the standards and licensing regulations may be downloaded free of charge from the following webpage:

https://info.ncdhhs.gov/dhsr/mhlcs/rules.html

In addition, copies of the standards and licensing regulations may be obtained for a fee from the Division of Mental Health, Developmental Disabilities and Substance Abuse Services, 306 N. Wilmington Street, Mail Service Center 3001, Raleigh, NC 27699-3001or call: 919-715-2150.

For information about enforcement procedures and violations of rules, contact the Division of Health Service Regulation, Mental Health Licensure and Certification Section, 1800 Umstead Drive, 2708 Mail Service Center, Raleigh, North Carolina 27699-2708 or call: 919-855-3765 or access the website:

https://info.ncdhhs.gov/dhsr/mhlcs/rules.html

3. Standards for Non-Medical Facilities that Provide Full-Time Care to Children who are Dependent, Neglected, Abandoned, Destitute, Orphaned or Delinquent

There are five basic sets of standards. The size and purpose of a program determine the standards. The five types of residential child care programs are:

(1) Family Foster Home standards for private family residences limit the total number of children in the household to five. This includes birth children, adopted children, relative children, and foster children. Family foster homes operate under the supervision of a county department of social services or a licensed private child-placing agency.

(2) Therapeutic Foster Home standards for private family residences limit the total number of children in the household to four. No more than two foster children can be placed in a therapeutic foster home. Therapeutic foster homes operate under the supervision of a county department of social services or a licensed private child-placing agency.

(3) Group home standards for both public and private agencies limit the total number of children in the home to twelve.

(4) Child caring institution capacity standards for public providers is determined by the Construction Section of the North Carolina Division of Health Service Regulation. However, public child caring institutions are limited to a total capacity of 13 or more.

(5) Child caring institution capacity standards for private providers is determined by the Construction Section of the North Carolina Division of Health Service Regulation.

While standards speak to a broad range of topics, the following are some specifics:

(1) Admissions: Programs are required to develop written admission policies and adhere to such policies. These policies should assure admission of children for whom the program is designed. Standards require that where possible parents or other legally responsible relatives must be involved. Programs cannot accept any child except upon written application by the legally responsible relative or custodian. A plan of services and periodic reviews are required. Medicals on each child are required.

(2) Safety: Each new child caring facility must have an initial inspection by a building inspector. The same is true whenever renovations or expansions are planned. The local fire inspector inspects the facility on a biennial basis. Findings are documented.

(3) Sanitation: The local sanitarian inspects each facility on a biennial basis. Findings are documented.

(4) Civil Rights, Debarment and Lobbying requirements: Prior to use of public funds to pay for care, the group care provider must sign a statement certifying compliance with federal regulations regarding Civil Rights, Debarment and Lobbying.

(5) Personnel: Group homes and child caring institutions are required to obtain medicals, criminal record checks, child protective services checks Responsible Individuals List (RIL) as well as reviewing sex offender data bases and health care personnel registry, etc. for all employees.

(6) Foster Parents: County departments of social services and private child-placing agencies must obtain fingerprint clearance for all foster parents and adult members of the household. Foster parents are required to obtain Medicals, criminal record checks, child protective services checks (RIL) as well as reviewing sex offender data bases and health care personnel registry.

The Social Services Commission is the standard setting authority. Copies of standards, etc., may be obtained free of charge from the Division of Social Services, 952 Old US 70 Highway, Black Mountain, NC, 28711 or at the following website:

FOSTER CARE:
http://reports.oah.state.nc.us/ncac/title%2010a%20-%20health%20and%20human%20services/chapter%2070%20-%20children's%20services/subchapter%20e/subchapter%20e%20rules.pdf

RESIDENTIAL CHILD-CARE:
http://reports.oah.state.nc.us/ncac/title%2010a%20-%20health%20and%20human%20services/chapter%2070%20-%20children's%20services/subchapter%20i/subchapter%20i%20rules.pdf

Information about enforcement procedures and violations of standards may be obtained by writing to the Division of Social Services at the address listed above, or by accessing the websites listed above.

4. Standards for Residential Treatment Programs for Children and Adolescents Who are Emotionally Disturbed (excluding state institutions)

The Division of Mental Health, Developmental Disabilities and Substance Abuse Services funds residential treatment programs for children who are emotionally disturbed and adolescents with State appropriations and Federal funds such as Social Services Block Grant and Mental Health Block Grant.

The standards applicable to these programs are Mental Health Licensure Rules and Client Rights Rules which have been approved by the Commission of Mental Health, Developmental Disabilities and Substance Abuse Services.

These standards cover such areas as admission criteria, staffing, record keeping, education and treatment. Copies of the standards and licensing regulations may be downloaded free of charge from the following webpage:
http://www.ncdhhs.gov/dhsr/mhlcs/rules.html

In addition, copies of the standards and licensing regulations may be obtained for a fee from the Division of Mental Health, Developmental Disabilities and Substance Abuse Services, 306 N. Wilmington Street, Mail Service Center 3001, Raleigh, NC 27699-3001 or by calling: 919-715-2150.

For information about enforcement procedures and violations of rules, contact the Division of Health Service Regulation, Mental Health Licensure and Certification Section, 1800 Umstead Drive, 2708 Mail Service Center, Raleigh, North Carolina 27699-2708 or by calling: 919-855-3765 or access the website:
https://www2.ncdhhs.gov/dhsr/mhlcs/mhpage.html

5. Rules for Supervised Living for Individuals of All Disability Groups

Supervised living is a 24-hour facility which provides residential services to individuals in a home environment where the primary purpose of these services is the care, habilitation or rehabilitation of individuals who have a mental illness, a developmental disability or disabilities, or a substance abuse disorder, and who require supervision when in the residence.

A supervised living facility shall be licensed if the facility serves either:

(1) One or more minor clients; or

(2) Two or more adult clients.

Minor and adult clients shall not reside in the same facility.

The standards applicable to these programs are Mental Health Licensure Rules and Client Rights Rules which have been approved by the Commission of Mental Health, Developmental Disabilities and Substance Abuse Services.

These standards cover such areas as admission criteria, staffing, record keeping, operations, and treatment. Copies of the standards and licensing regulations may be downloaded free of charge from the following webpage:
http://www.ncdhhs.gov/dhsr/mhlcs/rules.html

In addition, copies of the standards and licensing regulations may be obtained for a fee from the Division of Mental Health, Developmental Disabilities and Substance Abuse Services, 306 N. Wilmington Street, Mail Service Center 3001, Raleigh, NC 27699-3001 or by calling: 919-715-2150.

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https://www2.ncdhhs.gov/dhsr/mhlcs/mhpage.html