



# SENATE BILL 291: Extend Overnight Respite Pilot Program

2015-2016 General Assembly

**Committee:**

**Introduced by:**

**Analysis of:** S.L. 2015-52

**Date:**

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Legislative Analyst

**SUMMARY:** *S.L. 2015-52 extends until June 30, 2017, the Adult Day Care Overnight Respite Pilot Program authorized by S.L. 2011-104. In order to provide a more comprehensive evaluation of the provision of overnight respite in an adult day care setting, the act requires the Department of Health and Human Services to work with the NC General Assembly's Program Evaluation Division to collect additional information. The Program Evaluation Division is required to provide an interim report on the criteria specified in the act on or before December 1, 2015, and a final report on or before October 1, 2016, to the Joint Legislative Program Evaluation Oversight Committee and to the Joint Legislative Oversight Committee on Health and Human Services.*

*This act became effective June 4, 2015.*

## CURRENT LAW:

**G.S. 131D-6(a)** provides that, "It is the policy of this State to enable people who would otherwise need full-time care away from their own residences to remain in their residences as long as possible and to enjoy as much independence as possible. One of the programs that permits adults to remain in their residences with their families is adult day care."

**G.S. 131D-6 (b)** defines adult day care as the provision of group care and supervision in a place other than the usual place of abode on a less than 24-hour basis to adults who may be physically or mentally disabled. The Department of Health and Human Services annually inspects and certifies all adult day care programs in accordance with rules adopted by the Social Services Commission.

**G.S. 143B-181.10(a)** specifies that a respite care program provides needed relief to caregivers of impaired adults who cannot be left alone because of mental or physical problems.

**S.L. 2011-104 (SB 512)** required the Department of Health and Human Services (DHHS) Secretary to select two to four stable and successful DHHS-certified adult day care programs in which to conduct a pilot program to provide overnight respite services. The enacted legislation specified criteria for the selection and administration of the pilot programs. The State was not authorized to pay for any overnight respite services offered through the pilot program and the pilot is not eligible to enroll or participate in the Medicaid program. The adult day care programs were selected and the pilot took place. The Program Evaluation Division (PED) conducted an evaluation of the pilot and provided a report: [Overnight Respite Pilot at Adult Day Care Facilities Perceived as Favorable, but Lacked Objective Measures of Success \(October 2014\)](#). Prior to the enactment of S.L. 2015-52, S.L. 2011-104 was scheduled to be repealed June 1, 2015.

## BILL ANALYSIS:

S.L. 2015-52 extends the repeal date of the pilot program from June 1, 2015 to June 30, 2017. The act also requires the Department of Health and Human Services to work with the Program Evaluation Division to collect and provide additional information on the provision of overnight respite in an adult

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day care setting. The intent of the additional information is to assist in determining whether overnight respite in an adult day care setting is a worthwhile service.

The Program Evaluation Division is required to provide an interim report on the criteria specified in the act on or before December 1, 2015, and a final report on or before October 1, 2016, to the Joint Legislative Program Evaluation Oversight Committee and to the Joint Legislative Oversight Committee on Health and Human Services.

**EFFECTIVE DATE:** The act became effective June 4, 2015.

**BACKGROUND:**

According to the Division of Aging and Adult Services, between years 2013-2033, the 65-74 year old population segment will increase 54%; the 75-84 year old population segment will increase 102%; and the 85+ year old population segment will increase 88%. By 2025, 90 North Carolina counties will have more people 60+ than children 0-17.

Adult Day Care entities are certified by the Division of Aging and Adult Services. There is a health model and a social model that serve older and disabled adults. According to information in the PED report, as of May 2014, there were 100 adult day care programs with 4,827 client slots. An adult day care provides a respite option for caregivers during the day, many times these caregivers go to work. At the end of the day, the adults leave the adult day care and return home. Among other activities, overnight respite provides relief to caregivers allowing them to attend to their own needs or to participate in out-of town activities.