



# SENATE BILL 274: Senior Care Options.

2023-2024 General Assembly

<b>Committee:</b>	<b>Date:</b>	December 11, 2023
<b>Introduced by:</b>	<b>Prepared by:</b>	Jason Moran-Bates Staff Attorney
<b>Analysis of:</b>	S.L. 2023-150	

**OVERVIEW:** *S.L. 2023-150 establishes licensure requirements for home assistance services providers.*

*This act became effective November 9, 2023.*

**CURRENT LAW:** G.S. 131-138 requires a home care agency providing home care services to be licensed by the Department of Health and Human Services. Under G.S. 131E-136(3), *home care services* are defined as the following services and directly related medical supplies and appliances provided in an individual's home:

- Nursing care provided by or under the supervision of a registered nurse.
- Physical, occupational, or speech therapy, when provided to an individual who also is receiving nursing services, or any other of these therapy services, in a place of temporary or permanent residence used as the individual's home.
- Medical social services.
- In-home aide services that involve hands-on care to an individual.
- Infusion nursing services.
- Assistance with pulmonary care, pulmonary rehabilitation or ventilation.
- In-home companion, sitter, and respite care services provided to an individual.
- Homemaker services provided in combination with in-home companion, sitter, respite, or other home care services.

## BILL ANALYSIS:

The act adds the following definitions for *home assistance services* and *home assistance services provider*.

*Home assistance services* are defined as in-home companion, sitter, or respite care services and homemaker services.

*Home assistance services provider* is an entity licensed by the Department of Health and Human Services that employs or contracts with two or more individuals to provide home assistance services.

Home assistance services providers must be licensed and meet the following requirements:

- Maintain liability insurance.
- Inform clients that a home assistance services provider is not licensed by the State of North Carolina to provide home care services, health care services, or regular hands on care.
- Conduct a criminal background check for each contractor or employee.
- Document each contractor or employee has a valid drivers license and insurance.
- Require all services to be provided in compliance with all applicable laws.

The act makes a distinction between home care services and home assistance service by clarifying that home assistance services do not include in home companion, sitter, and respite care services as defined in G.S. 131E 136(3)g, or homemaker services provided in combination with in home companion, sitter, respite, or other home care services as defined in G.S. 131E 136(3)h.

**EFFECTIVE DATE:** This act became effective November 9, 2023.

Jeffrey Hudson  
Director



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Legislative Analysis  
Division  
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