



## North Carolina Department of Health and Human Services

Beverly Eaves Perdue, Governor

Lanier M. Cansler, Secretary

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Steve Jordan, Director

August 30, 2011

**To: County Directors of Social Services  
LME Directors**

**RE: Establishment of Adult Care Home Discharge Teams**

Session Law 2011-272 (House Bill 677) makes substantive changes to discharge procedures for adult care home residents. Specifically, it provides adult care homes with greater flexibility in the transfer and discharge of residents; enacts appeal rights for adult care home residents with respect to discharge decisions; and creates adult care home resident discharge teams within every county which has an adult care home licensed under Chapter 131D of the General Statutes. Session Law 2011-272 is effective October 1, 2011 and can be found at:

<http://www.ncga.state.nc.us/Sessions/2011/Bills/House/PDF/H677v7.pdf>

The department of social services in a county with a licensed adult care home has the responsibility to establish an adult care home discharge team pursuant to Session Law 2011-272. The team will include at least one member of the local management entity, one member of the county department of social services (DSS), and other members the county DSS may deem necessary to carry out the function of the adult care home discharge team, including the regional Long Term Care Ombudsman at the request of the resident or the resident's legal representative. The team may include individuals knowledgeable about local housing options (e.g., public housing agencies, Community Development Block Grant Program and HOME Investments Partnerships Program funds where available, county housing committees/coalitions, etc.), community-based services, and other supports to help establish an appropriate living arrangement for the discharged resident. The team should consist of standing members and alternates who are able to meet on short notice once the request for assistance is made by an adult care home. The teams will be asked to maintain documentation of their proceedings, which is confidential unless written consent is provided by all parties involved.

The facility will request the adult care home resident discharge team be convened to assist with finding placement for a resident if, at the time of notice of discharge, the destination is unknown, or the destination is not appropriate for the resident. The facility is not solely responsible for securing an appropriate discharge destination. Local management entities shall take the lead role for the discharge destination for those residents whose primary unmet needs are related to mental health, developmental disabilities, or substance abuse and who meet the criteria for the target population established by the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services. County departments of social services shall take the lead role for those residents, whose primary unmet needs are related to health, including Alzheimer's disease and other forms of dementia, welfare, abuse, or neglect.

Residents shall be given at least 30 days advance notice to ensure an orderly transfer or discharge, except in the case of jeopardy to the health or safety of the resident or others in the home. In situations involving jeopardy to the health or safety of the resident or others in the home, the discharge notice may be made in less than 30 days and as soon as practicable in accordance with applicable rules and regulations. The resident has the right to appeal. Therefore, the discharge team must work within the prescribed timeframes for safe and orderly discharges to ensure that a discharge plan is in place.

The Division of Aging and Adult Services and the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services are working in collaboration with other DHHS divisions, county departments of social services, local management entities, adult care home providers and advocates to develop more detailed guidance about the establishment and implementation of the adult care come discharge teams. We know there are many questions about the adult care home discharge teams, so additional information will be sent to you in the near future. We encourage you to contact the individuals listed below with your questions so that we can include answers in the upcoming guidance.

For county departments of social services, please contact Suzanne Merrill or Charles Williams, Adult Services Section, at 919-733-3818 or [Suzanne.Merrill@dhhs.nc.gov](mailto:Suzanne.Merrill@dhhs.nc.gov) or [Charles.Williams@dhhs.nc.gov](mailto:Charles.Williams@dhhs.nc.gov) or your Adult Programs Representative.

For local management entities, please contact Angela Harper, Best Practice/Housing Specialist, at 919-715-2774 or [Angela.Harper@dhhs.nc.gov](mailto:Angela.Harper@dhhs.nc.gov) or Beverly Bell, LME Team Liaison, at 919-218-4820 or [Beverly.Bell@dhhs.nc.gov](mailto:Beverly.Bell@dhhs.nc.gov)

We appreciate your support as we work together to meet the requirements of Session Law 2011-272.

Sincerely,



Dennis W. Streets, Director  
Division of Aging and Adult Services



Steve Jordan, Director  
Division of Mental Health, Developmental Disabilities,  
and Substance Abuse Services

Cc: Secretary Lanier Cansler  
Michael Watson  
Beth Melcher  
DMH/DD/SAS Executive Leadership Team  
DMH/DD/SAS Management Leadership Team  
Yvonne Copeland  
Rebecca Troutman  
MH Commission Chair  
The Coalition Chair

SCFAC Chair  
Sharnese Ransome  
Lisa Hollowell  
Shawn Parker  
Kaye Holder  
Renee McCoy  
John Dervin