



## CHAPTER 131D

## ARTICLE 1 - ADULT CARE HOMES

## N.C.G.S. § 131D-4.2.

# Adult care homes; family care homes; cost reports; exemptions; enforcement.

| SOURCE                                                                   | LAST AMENDMENT IN THIS TEXT                       | RETRIEVED                    | SOURCE FINGERPRINT                                                     |
|--------------------------------------------------------------------------|---------------------------------------------------|------------------------------|------------------------------------------------------------------------|
| General Statutes of North Carolina, as published by the General Assembly | S.L. 2016-94, s. 12G.2 — tenth act in the lineage | 21 September 2026, 02:05 UTC | a446419f9f87f6e00edaeba6 - 247d18cf8a4b988da125cc63 - 70852beecda8e83e |

- § 131D-4.2(a)** Except for family care homes, adult care homes with a licensed capacity of seven to twenty beds, which are licensed pursuant to this Chapter, to Chapter 122C of the General Statutes, and to Chapter 131E of the General Statutes, shall submit audited reports of actual costs to the Department at least every two years in accordance with rules adopted by the Department under G.S. 143B-10. Adult care homes licensed under Chapter 131D of the General Statutes that have special care units shall include in reports required under this subsection cost reports specific to the special care unit and shall not average special care costs with other costs of the adult care home.
- § 131D-4.2(b)** Except for family care homes, adult care homes with a licensed capacity of twenty-one beds or more, which are licensed pursuant to this Chapter, to Chapter 122C of the General Statutes, and to Chapter 131E of the General Statutes, shall submit audited reports of actual costs at least every two years to the Department of Health and Human Services, in accordance with rules adopted by the Department under G.S. 143B-10. Adult care homes licensed under Chapter 131D of the General Statutes that have special care units shall include in the reports required under this subsection cost reports specific to the special care unit and shall not average special care costs with other costs of the adult care home.
- § 131D-4.2(c)** Repealed by Session Laws 1999-334, s. 3.1.
- § 131D-4.2(d)** Facilities that do not receive State/County Special Assistance or Medicaid personal care are exempt from the reporting requirements of this section.

**§ 131D-4.2(e)** The Department shall establish specific reporting deadlines for each type of facility required to report under this section. If the Department finds good cause for delay, it may extend the deadline for filing a report for up to an additional 30 days.

**§ 131D-4.2(f)** The Department shall have the authority to conduct audits and review audits submitted pursuant to subsections (a) and (b) of this section.

**§ 131D-4.2(g)** The Department shall suspend admissions to facilities that fail to submit annual reports by the applicable reporting deadline or by the date established by the Department when good cause for delay is found pursuant to G.S. 131D-4.2(e)-. Suspension of admissions shall remain in effect until reports are submitted or licenses are suspended or revoked under subdivision (2) of this subsection. The Department may take either or both of the following actions to enforce compliance by a facility with this section, or to punish noncompliance:

- (1) Seek a court order to enforce compliance;
- (2) Suspend or revoke the facility's license, subject to the provisions of Chapter 150B of the General Statutes.

**§ 131D-4.2(h)** The report documentation shall be used to adjust the adult care home rate at least every two years, an adjustment that is in addition to the annual standard adjustment for inflation as determined by the Office of State Budget and Management. Rates for family care homes shall be based on market rate data. The Secretary of Health and Human Services shall adopt rules for the rate-setting methodology and audited cost reports in accordance with G.S. 143B-10.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I  
10 ACTS

## Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.



|    |      |                              |         |
|----|------|------------------------------|---------|
| 01 | 1995 | c. 449, s. 3                 | ENACTED |
| 02 | 1995 | c. 535, s. 10                | AMENDED |
| 03 | 1997 | S.L. 1997-73, ss. 1, 2       | AMENDED |
| 04 | 1997 | S.L. 1997-443, s. 11A.118(a) | AMENDED |
| 05 | 1998 | S.L. 1998-212, s. 12.1A      | AMENDED |
| 06 | 1999 | S.L. 1999-334, ss. 3.1, 3.2  | AMENDED |
| 07 | 2000 | S.L. 2000-140, s. 93.1(a)    | AMENDED |
| 08 | 2001 | S.L. 2001-157, s. 1          | AMENDED |
| 09 | 2001 | S.L. 2001-424, s. 12.2(b)    | AMENDED |
| 10 | 2016 | S.L. 2016-94, s. 12G.2       | AMENDED |

APPARATUS II  
2 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

| REFERENCE        | APPEARS IN | OPERATIVE LANGUAGE IN THIS SECTION             |
|------------------|------------|------------------------------------------------|
| G.S. 143B-10     | (a)        | <i>"rules adopted by the Department under"</i> |
| G.S. 131D-4.2(e) | (g)        | <i>"for delay is found pursuant to"</i>        |

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 131D-4.2 (2016).

PINPOINT

N.C. Gen. Stat. § 131D-4.2(a) (2016).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

## COLOPHON

## Provenance

This document reproduces the text of one section of the General Statutes of North Carolina from a source file whose SHA-256 digest is printed on every page. The digest fixes the bytes this export was made from; if the State's file changes, the digest will not match.

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This is not the official text. The official text is published by the General Assembly of North Carolina.

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#### HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1995, c. 449, s. 3; c. 535, s. 10; 1997-73, ss. 1, 2; 1997-443, s. 11A.118(a); 1998-212, s. 12.1A; 1999-334, ss. 3.1, 3.2; 2000-140, s. 93.1(a); 2001-157, s. 1; 2001-424, s. 12.2(b); 2016-94, s. 12G.2.)

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