

A Carolina Public Press Quick Guide: Understanding NC's Inspections of Adult Care Homes

“Adult care home” is defined in North Carolina General Statute 131D-2.1 (3) as “an assisted living residence in which the housing management provides 24-hour scheduled and unscheduled personal care services for two or more residents, either directly or for scheduled needs, through formal written agreement with licensed home care or hospice agencies.” Adult care homes are not “old folks’ homes” or nursing homes. Adult care homes require licensing and are inspected by county departments of social services and the N.C. Division of Health Service Regulation.

When are adult care homes inspected?

- At least quarterly by county social services adult home specialists. In practice, often more frequently.
- At least annually by North Carolina Division of Health Services regional surveyor teams.
- Whenever there's a complaint or incident, usually by the county.

What happens when there is a problem?

- Inspectors are supposed to follow state statutes closely in addressing most common problems. If state surveyors are uncertain about an unusual situation, they can contact their supervisors or even the Attorney General for legal guidance.
- Inspectors develop plans to ensure the immediate health and safety of residents. Later, they develop a long-term plan to remove the problem. In extreme cases, this can include suspending new resident admissions or revoking a license and suddenly closing a facility.
- A report with a “statement of deficiency” is issued, detailing what the inspector observed. This is posted online.
- A star-rating worksheet assigns demerits for problems found, as well as for certain state actions such as admission suspensions or sudden closures. Facilities that have suspensions lifted receive merit. Merits and demerits are totaled against a base score of 100. Facilities with scores under 60 have zero stars.

What about financial penalties?

- After statements of deficiencies, the Division of Health and Safety Regulation evaluates these reports to impose fines or require training. This can happen long after the inspection, sometimes more than a year later.
- When the state closes a facility or owners close voluntarily, previous deficiencies may still result in fines long afterward. Due to a recent change in state law, if the owners petition to reopen, they must pay off any outstanding fines.
- Adult care homes that don't agree with penalties can seek to have them reduced through mediation. They can also go outside the adult care home system by filing a civil suit to reduce penalties, which at least one adult care home has done successfully.

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