

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007**

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**SENATE BILL 1188**

Short Title: CAP-MR/DD Waiver Change.

(Public)

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Sponsors: Senator Shaw.

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Referred to: Appropriations/Base Budget.

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March 22, 2007

A BILL TO BE ENTITLED

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2 AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN  
3 SERVICES, DIVISION OF MENTAL HEALTH, DEVELOPMENTAL  
4 DISABILITIES, AND SUBSTANCE ABUSE SERVICES, TO ALLOW  
5 PAYMENTS FOR PERSONAL CARE SERVICES TO CERTAIN GUARDIANS  
6 AND FAMILY MEMBERS.

7 The General Assembly of North Carolina enacts:

8       **SECTION 1.** The Department of Health and Human Services, Division of  
9 Mental Health, Developmental Disabilities, and Substance Abuse Services, shall allow  
10 guardians of the person and certain family members of adults with developmental  
11 disabilities to receive payment for providing personal care services to the adults with  
12 developmental disabilities. The Department may limit the amount of time that a  
13 guardian of the person or a family member can be paid to provide personal care services  
14 to an adult who is on the CAP/DD program, provided that such restriction shall not be  
15 less than 160 hours of medically necessary services in a calendar month.

16       **SECTION 2.** This act becomes effective July 1, 2007.