



Representative McLawhorn's News from Raleigh

January 10, 2008

The people who led our state to prosperity over the past few decades deserve our attention and certainly some of our resources. As they have aged, the constraints of a fixed income, increased health costs and other concerns require us to constantly re-evaluate what we can do to help them.

This past session, the General Assembly spent a lot of time focusing on the issues of health, housing, insurance and other related matters. We were also able to take the Medicaid burden from the counties, which in addition to freeing up local money for schools and other needs, strengthens this program for the many older people who rely on it.

In the information that follows, I will provide you with some of the highlights of what we did on behalf of our older citizens. And in the session to come, we plan to do more.

Thank you as always for allowing me to share this information with you. Please contact me if I can be of any service.

Taxes

- In our budget (HB 1473), we established a state tax credit for the purchase of long term care insurance. The credit allows married couples filing jointly who earn up to \$100,000 in adjusted gross income to claim a credit of up to \$350 when they purchase long term care insurance. Single people can earn up to \$60,000 and still be eligible for the credit.

- We expanded the state's Homestead Exemption by increasing the income cap and the size of the exemption. The new law (HB 1499) increased the income eligibility from \$18,000 to \$25,000. People who qualify for the exemption, which is granted to low-income homeowners who have lived in their houses for at least five years, can reduce the tax appraisal value of their home by up to \$25,000. That's \$5,000 more than the law previously allowed. This change allows them to reduce their tax burden. The bill also allows qualified residents to defer a portion of what they owe for property taxes.

Health

- We are very proud and fortunate that our state is fiscally strong enough to relieve our counties of the costs of Medicaid. House Democrats worked hard so that counties could have more money for infrastructure needs without raising property taxes or sacrificing effective health care. We have also set aside \$250,000 in grants for local organizations helping seniors enrolling in the NC Rx program and Medicare Part D prescription drug benefit.

- Local health departments will benefit from \$1 million to reduce rates of cancer, diabetes, obesity, heart disease, injury, and infant mortality. We also created an additional receipt-supported position in the Division of Aging and Adult Services. This person will organize a health promotion program to lower the rate of chronic diseases among seniors.

- Health care costs are continually increasing. We set aside \$1.8 million offset the costs for home health personal care services providers.

- The Adult Care Home Quality Improvement Pilot Initiative will receive \$264,000. This is an 11-month pilot test that will place a trained Quality Improvement Consultant from the Department of Social Services in up to 100 adult and family care homes in Alamance, Buncombe, Nash, and Rutherford counties.

- We appropriated \$1.2 million to implement and provide staff for a ratings and certificate program for adult care homes and expand the Health Care Personnel Registry. The Medical Care Commission will oversee the issuance of certificates that rate facilities based on inspections. The Health Care Personnel Registry will include individuals who have contact with residents or clients and who have been found guilty of neglect, fraud, abuse, drug theft, or misappropriation of patient or facility property.

- Legislators passed a bill (HB 265) to create a high-risk insurance pool for people who do not have access to affordable private health insurance. The program should be available by 2009 and will immediately benefit about 2,000 people.

- According to a new law (SB 748), the Department of Health and Human Services will not issue licenses for new home care agencies before 2009. The Department will be using the extra year to make sure that existing agencies comply with the new home care rules. Another bill (HB 424) directs the Department to study ways to improve respite care for people with dementia, chronic or terminal illness, disabilities, and the elderly.

- We passed a bill (HB 554) to increase the penalty for assaulting a patient in a health care facility. It is now a Class H felony to assault a resident of a residential or health care facility if the assault shows a pattern of behavior that is negligent or causes bodily injury to the resident. Another law (HB 1294) prohibits smoking in long term care facilities. A violation can result in a fine of up to \$200.

- A new law (HB 1685) allows for an expedited certificate of need review process for adult care or nursing homes relocating to another facility within the same county.

Housing

- The NC Housing Trust Fund will receive \$10 million over the next two years to provide safe and affordable housing for low income citizens. The Fund also assists seniors with necessary repairs and renovations. With this increase, the Fund will now receive \$8 million annually.

This year the Fund will also receive an additional \$7.5 million to increase the number of independent-and supportive-living apartments for people with disabilities. Another \$8 million has been set aside to pay for the operational costs of these apartments.

Wills, Insurance, and Retirement

- We passed a bill (HB 634) that clarifies the right to make advance directives and designate health care agents. The bill also simplifies the method of making these directives and designations, and even includes a copy of the necessary forms. Another bill (HB 765) updates the law dealing with testamentary additions to trusts. It also codifies the doctrines of incorporation by reference and acts of independence.

- Legislators passed a bill (HB 748) that allows pharmacies to override time restrictions on prescriptions during a state of disaster or emergency. People who live in these areas can get one refill of a prescription if there are any more authorized refills or as a replacement for one that was recently filled.

Miscellaneous

- My colleagues and I created the Silver Alert System in the North Carolina Center for Missing Persons to disseminate information about missing persons with dementia or some other cognitive impairment. Like the Amber Alert System, this system will work in cooperation with broadcasters and the Department of Transportation. The new law (HB 38) expands the number of people who can request the alert. Caretakers at a care facility are now authorized to request the alert. Emergency medical workers can also assist in the search for missing persons suffering from cognitive impairments.

Please remember that you can listen to each day's committee meetings and press conferences on the General Assembly's website at <http://www.ncleg.net/> HYPERLINK <http://www.ncleg.net/> www.ncleg.net. Once on the site, select "audio," and then make your selection – Appropriations Committee Room or Press Conference Room. You can also use the website to look up bills, view lawmaker biographies and access other information.