

**North Carolina Department of Health and Human Services  
Division of Aging and Adult Services**

2101 Mail Service Center • Raleigh, North Carolina 27699-2101  
Tel 919 733-3818 • Fax No. 919 715-0023

Beverly Eaves Perdue, Governor  
Lanier M. Cansler, Secretary

Dennis W. Streets, Director  
919-733-3983

February 12, 2010

**DEAR COUNTY DIRECTOR OF SOCIAL SERVICES**

<b>Brunswick</b>	<b>Granville</b>	<b>Person</b>
<b>Burke</b>	<b>Haywood</b>	<b>Rockingham</b>
<b>Catawba</b>	<b>Henderson</b>	<b>Wake</b>
<b>Cleveland</b>	<b>Moore</b>	<b>Wayne</b>
<b>Gaston</b>	<b>Nash</b>	<b>Wilson</b>

**ATTENTION: Special Assistance Supervisors  
Adult Services Supervisors**

**SUBJECT: Unlicensed Facilities with Special Assistance Residents**

The Division of Aging and Adult Services (DAAS) recently received a final list of adult care facilities which have not renewed their licenses for 2010. License renewals by State law, must be postmarked no later than December 31 of the current year to obtain a license renewal effective January 1 of the subsequent year. DAAS has notified all adult care homes, family care homes, and 5600(A) and 5600(C) mental health facilities where license renewal applications were not received by February 8, 2010 (adult care and family care homes) or January 28, 2010 (mental health facilities) that they may not accept Special Assistance funds unless they are duly licensed per North Carolina Statute 108A-41 and NC Administrative Code 10 NCAC 71P. 0202. All licensed facilities were previously sent a letter dated July 1, 2009 (adult care facilities) or May 8, 2009 (mental health facilities) encouraging them to submit their license renewal applications by October 15, 2009, well before the December 31<sup>st</sup> deadline to allow ample processing time. This communication also reminded facilities that they may not accept Special Assistance funds if they are not duly licensed. DAAS has also notified the Division of Medical Assistance about this communication.

DAAS has identified Special Assistance recipients living in these unlicensed facilities. The facilities have been notified that they will be contacted by the county department of social services where the Special Assistance case originates, and that they will be required to repay Special Assistance funds at a daily rate beginning January 1, 2010 until the facility is licensed or the resident receiving Special Assistance vacates the unlicensed facility. The facilities were also informed that Special Assistance for their residents will be terminated.

We are requesting that you take the following actions immediately:

Location: 693 Palmer Drive, Raleigh, NC 27603 • State Courier No. 56-20-02  
An Equal Opportunity / Affirmative Action Employer



<http://www.nccarelink.gov/>

Dear County Director of Social Services

February 12, 2010

Page 2

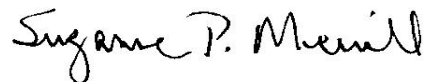
- 1) Contact the facility to inform them that they must repay Special Assistance funds. Calculate the per diem payment based upon the individual case payment minus the personal needs allowance and divide by the number of days in the month. For example, a resident receives a Special Assistance payment of \$350 per month. Subtract the \$46 personal needs allowance from the Special Assistance payment. Divide the balance by 31 days, so for January 2010 the facility owes the State/County a total of \$9.81 per day for the Special Assistance payment. The county notifies the facility of the repayment amount. The county then reimburses the State its portion of the Special Assistance payment via form 8210.
- 2) Special Assistance recipients residing in these unlicensed facilities and their representatives must be sent a timely notice of termination. Along with this termination, it may be necessary to assist with placement into a duly licensed facility.

In addition to the Dear Director Letter, please find a total of eight attachments:

- EIS IDs, with county name and facility name for Special Assistance recipients living in unlicensed facilities.
- Letters to unlicensed facilities, one for adult care/family care homes and one for mental health facilities.
- The July 1, 2009 letter to adult care facility administrators encouraging them to renew the license by October 15, 2009.
- The May 8, 2009 letter to mental health 5600(A) and 5600(C) facility administrators encouraging them to renew the license by October 15, 2009.
- Lists of unlicensed facilities, one for adult care and one for mental health 5600(A) and 5600(C).

If you have questions or need assistance please contact your [Adult Programs Representative](#), Chris Urso ([Chris.Urso@dhhs.nc.gov](mailto:Chris.Urso@dhhs.nc.gov)), Special Assistance Program Administrator, or Brenda Porter ([Brenda.Porter@dhhs.nc.gov](mailto:Brenda.Porter@dhhs.nc.gov)), Special Assistance Program Coordinator.

Sincerely,



Suzanne P. Merrill, Chief  
Adult Services Section

SPM:cu

AFS-1-2010

Attachments

cc: Division of Health Service Regulation, Adult Care Licensure Section and Mental Health Licensure Section; Division of Medical Assistance