

Shorts on Long Term Care February 2011

- for the North Carolina Long Term Care Community

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Kenneth L. Burgess

North Carolina's Certificate of Need Statute Withstands Constitutional Challenge

Last month, the N.C. Supreme Court issued a decision that puts to rest a nearly two-year dispute over whether North Carolina's Certificate of Need (CON) Statute is constitutional. The CON Statute regulates the number, type and location of the vast majority of health services in North Carolina and precludes the issuance of a CON for any health service, facility or equipment that is not identified as needed in the annual State Medical Facilities Plan (SMFP), which is issued annually by the Governor with substantial input from the N.C. Department of Health and Human Services and the State Health Coordinating Council (SHCC).

And Speaking of Certificates of Need—2011 SMFP Shows Need for Additional Nursing Facility and Adult Care Home Beds

The 2011 State Medical Facilities Plan (SMFP) was signed by Governor Perdue in late December 2010 and identifies a need for additional nursing facility beds in six North Carolina counties and additional need for adult care home (assisted living) beds in seven counties.



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Health Care Reform Update: Federal Agencies Have Issued 18 Regulations Implementing the Patient Protection and Affordable Care Act

As the new Congress returns to Washington, already itching for a fight over the repeal of all or parts of President Obama's health care reform law, federal agencies have been busy issuing regulations to implement parts of the primary reform legislation, the Patient Protection and Affordable Care Act (PPACA).

Top Agency Enforcement Areas for Employers to Watch in 2011

Many federal employment oversight agencies have been ramping up their enforcement activity, so prudent employers are ramping up their compliance efforts. We expect to see enforcement actions increase in 2011, creating serious problems for unprepared employers. These enforcement increases include activity by the National Labor Relations Board (NLRB), the Equal Employment Opportunity Commission and President Obama's National Equal Pay Enforcement Task Force.

Nicaragua Update – I'm Off Again to the "Home of the Ancients"

Many of our readers frequently ask me what's going on with the senior center project in Nicaragua that so many of you gave to generously when I first became involved with this project nearly three years ago. Well, here's what's up. I'm heading down to Nicaragua again for my third trip from January 16 to 24. I'm traveling with the entire Board of Directors of the Jessie F. Richardson Foundation, which sponsors and supports the Jinotepe hogares, known fondly as the "Home of the Ancients," and a volunteer group from Portland State University in Oregon.

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Ken's Quote of the Month

“We make a living by what we get; we make a life by what we give.” ~ *Sir Winston Churchill*



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