

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019**

**SENATE BILL 168
RATIFIED BILL**

AN ACT MAKING TECHNICAL, CONFORMING, AND OTHER MODIFICATIONS TO
LAWS PERTAINING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES
AND ADDING A PSYCHIATRIC PHYSICIAN PRIVILEGE EXCEPTION TO CRIMES
AGAINST JUVENILES REPORTING REQUIREMENTS.

The General Assembly of North Carolina enacts:

**PART I. TECHNICAL, CONFORMING, AND OTHER CHANGES RELATED TO THE
DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND
SUBSTANCE ABUSE SERVICES**

**ALIGNMENT OF DEVELOPMENTAL DISABILITY DEFINITION WITH FEDERAL
LAW**

SECTION 1.1. G.S. 122C-3(12a) reads as rewritten:

"(12a) Developmental disability. – A severe, chronic disability of a person that satisfies all of the following:

- a. Is attributable to ~~one or more impairments~~ a mental or physical impairment or combination of mental and physical impairments.
...."

**ALLOW CO-PAYMENT SCHEDULE FOR BEHAVIORAL HEALTH,
INTELLECTUAL AND DEVELOPMENTAL DISABILITIES, AND SUBSTANCE USE
DISORDER SERVICES**

SECTION 1.2. G.S. 122C-112.1(a)(34) reads as rewritten:

"(34) Adopt ~~rules for the implementation of~~ a co-payment ~~graduated schedule to for~~ behavioral health services, intellectual and developmental disabilities services, and substance use disorder services based on the Medicaid co-payments for such services, which shall be used by LMEs and by contractual provider agencies under G.S. 122C-146. The co-payment graduated schedule shall be developed to adopted under this subdivision shall require a co-payment for services identified by the Secretary. Families whose family income is three hundred percent (300%) or greater of the federal poverty level are eligible for services with the applicable co-payment."

**CONFORMING CHANGE TO PROCEDURE FOR APPEALING DECISIONS ON
LICENSURE WAIVER REQUESTS**

SECTION 1.3. G.S. 122C-23(f) reads as rewritten:

"(f) Upon written application and in accordance with rules of the Commission, the Secretary may for good cause waive any of the rules implementing this Article, provided those rules do not affect the health, safety, or welfare of the individuals within the licensable facility. Decisions made pursuant to this subsection may be appealed ~~to the Commission for a hearing in~~



accordance with by filing a contested case under Article 3 of Chapter 150B of the General Statutes."

TECHNICAL CORRECTION TO LIST OF PERSONS DHHS SECRETARY MAY CERTIFY TO PERFORM FIRST EXAMINATIONS FOR INVOLUNTARY COMMITMENT

SECTION 1.4. G.S. 122C-263.1(a) reads as rewritten:

"(a) Physicians and eligible psychologists are qualified to perform the commitment examinations required under G.S. 122C-263(c) and G.S. 122C-283(c). The Secretary of Health and Human Services may individually certify to perform the first commitment examinations required by G.S. 122C-261 through G.S. 122C-263 and G.S. 122C-281 through G.S. 122C-283 other health, mental health, and substance abuse professionals whose scope of practice includes diagnosing and documenting psychiatric or substance use disorders and conducting mental status examinations to determine capacity to give informed consent to treatment as follows:

(1) The Secretary has received a request:

- a. To certify a licensed clinical social worker, a master's or higher level degree nurse practitioner, a licensed ~~professional counsellor~~, clinical mental health counselor or a physician's assistant to conduct the first examinations described in G.S. 122C-263(c) and G.S. 122C-283(c).
- b. To certify a master's level licensed clinical addictions specialist to conduct the first examination described in G.S. 122C-283(c).

...

(5) In no event shall the certification of a licensed clinical social worker, master's or higher level degree nurse practitioner, licensed ~~professional counsellor~~, clinical mental health counselor, physician assistant, or master's level certified clinical addictions specialist under this section be construed as authorization to expand the scope of practice of the licensed clinical social worker, the master's level nurse practitioner, licensed ~~professional counsellor~~, clinical mental health counselor, physician assistant, or the master's level certified clinical addictions specialist.

...."

CORRECTION TO EXPANDED USE OF TELEHEALTH TO CONDUCT FIRST AND SECOND INVOLUNTARY COMMITMENT EXAMINATIONS DURING THE COVID-19 EMERGENCY

SECTION 1.5.(a) Section 3F.1(b) of S.L. 2020-3 reads as rewritten:

"**SECTION 3F.1.(b)** Notwithstanding any provision of Chapter 122C of the General Statutes or any other provision of law to the contrary, the first examination of a respondent required by G.S. 122C-263(a) to determine whether the respondent will be involuntarily committed due to mental illness or required by G.S. 122C-283(a) to determine whether the respondent will be involuntarily committed due to substance use disorder may be conducted either in the physical face-to-face presence of the commitment examiner or utilizing telehealth equipment and procedures. A commitment examiner who examines a respondent by means of telehealth must be satisfied to a reasonable medical certainty that the determinations made in accordance with G.S. 122C-283(d) would not be different if the examination had been conducted in the physical presence of the commitment examiner. A commitment examiner who is not so satisfied must note that the examination was not satisfactorily accomplished, and the respondent must be taken for a face-to-face examination in the physical presence of a person authorized to perform examinations under G.S. 122C-283."

SECTION 1.5.(b) This section is effective when it becomes law.

PART II. TECHNICAL, CONFORMING, AND OTHER CHANGES RELATED TO THE DIVISION OF PUBLIC HEALTH

TECHNICAL CORRECTION TO STATUTE GOVERNING TRANSITIONAL PERMITS FOR FOOD ESTABLISHMENTS

SECTION 2.1. G.S. 130A-248(c) reads as rewritten:

"(c) If ownership of an establishment is transferred or the establishment is leased, the new owner or lessee shall apply for a new permit. The new owner or lessee may also apply for a transitional permit. A transitional permit may be issued upon the transfer of ownership or lease of an establishment to allow the correction of construction and equipment problems that do not represent an immediate threat to the public health. Upon issuance of a new permit or a transitional permit for the same establishment, any previously issued permit for an establishment in that location becomes void. This subsection does not prohibit issuing more than one owner or lessee a permit for the same location if (i) more than one establishment is operated in the same physical location and (ii) each establishment satisfies all of the rules and requirements of subsection ~~(g)~~ (a) of this section. For purposes of this subsection, "transitional permit" ~~shall mean~~ means a permit issued upon the transfer of ownership or lease of an existing food establishment to allow the correction of construction and equipment problems that do not represent an immediate threat to the public health."

REGULATION OF TEMPORARY DISPLAY SPAS

SECTION 2.2. G.S. 130A-280 reads as rewritten:

"§ 130A-280. Scope.

This Article provides for the regulation of public swimming pools in the State as they may affect the public health and safety. As used in this Article, the term "public swimming pool" means any structure, chamber, or tank containing an artificial body of water used by the public for swimming, diving, wading, recreation, or therapy, together with buildings, appurtenances, and equipment used in connection with the body of water, regardless of whether a fee is charged for its use. The term includes municipal, school, hotel, motel, apartment, boarding house, athletic club, or other membership facility pools and spas, spas operating for display at temporary events, and artificial swimming lagoons. As used in this Article, an "artificial swimming lagoon" means any body of water used for recreational purposes with more than 20,000 square feet of surface area, an artificial liner, and a method of disinfectant that results in a disinfectant residual in the swimming zone that is protective of the public health. This Article does not apply to a private pool serving a single family dwelling and used only by the residents of the dwelling and their guests. This Article also does not apply to therapeutic pools used in physical therapy programs operated by medical facilities licensed by the Department or operated by a licensed physical therapist, nor to therapeutic chambers drained, cleaned, and refilled after each individual use."

AUTHORIZATION TO APPOINT RETIRED PHYSICIANS, NURSES, PARAMEDICS, CERTIFIED MEDICOLEGAL DEATH INVESTIGATORS, AND PATHOLOGIST ASSISTANTS AS MEDICAL EXAMINERS

SECTION 2.3. G.S. 130A-382(a) reads as rewritten:

"(a) The Chief Medical Examiner shall appoint two or more county medical examiners for each county for a three-year term. In appointing medical examiners for each county, the Chief Medical Examiner shall give preference to physicians licensed to practice medicine in this State but may also appoint ~~licensed-retired physicians previously licensed to practice in this State;~~ physician assistants, nurse practitioners, ~~nurses~~, or nurses licensed to practice in this State; emergency medical technician ~~paramedics~~; paramedics credentialed under G.S. 131E-159; medicolegal death investigators certified by the American Board of Medicolegal Death Investigators; pathologists' assistants; and dentists licensed to practice in this State. A medical

examiner may serve more than one county. The Chief Medical Examiner may take jurisdiction in any case or appoint another medical examiner to do so."

ALLOW CHIEF MEDICAL EXAMINER TO APPOINT EMERGENCY MEDICAL EXAMINERS DURING STATES OF EMERGENCY

SECTION 2.4. G.S. 130A-382 is amended by adding a new subsection to read:

"(a1) During a state of emergency declared by the Governor or by a resolution of the General Assembly as provided in G.S. 166A-19.20, or by the governing body of a county or municipality as provided in G.S. 166A-19.22, the Chief Medical Examiner is authorized to appoint temporary county medical examiners to serve for the duration of the declared state of emergency. For purposes of this section, "temporary county medical examiner" means an individual who has been determined by the Chief Medical Examiner to have the appropriate training, education, and experience to serve as a county medical examiner during a declared state of emergency."

ESTABLISHMENT OF CONFIDENTIALITY FOR CERTAIN DEATH INVESTIGATION INFORMATION

SECTION 2.5. Article 16 of Chapter 130A of the General Statutes is amended by adding a new section to read:

"§ 130A-386.5. Confidentiality of certain death investigation information and records received by the Office of the Chief Medical Examiner.

All information and records provided by a city, county, or other public entity to the Office of the Chief Medical Examiner, or its agents, concerning a death investigation shall retain the same degree of confidentiality it had while in the possession of the city, county, or other public entity. Such information and records shall not become public records, as defined under Chapters 121 and 132 of the General Statutes, when provided to the Office of the Chief Medical Examiner, or its agents, unless the information and records otherwise constituted public records while in the possession of the city, county, or other public entity."

PART II-A. TECHNICAL, CONFORMING, AND OTHER CHANGES RELATED TO DHHS BLOCK GRANTS

SECTION 2A.1.(a) Section 1.1 of S.L. 2019-192, as amended by Section 4.9 of S.L. 2020-4, reads as rewritten:

"DHHS BLOCK GRANTS

"SECTION 1.1.(a) Except as otherwise provided, appropriations from federal block grant funds are made for each year of the fiscal biennium ending June 30, 2021, according to the following schedule:

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) FUNDS

FY 2019-2020

FY 2020-2021

Local Program Expenditures

Division of Social Services

01. Work First Family Assistance	\$37,549,914	\$35,549,914
02. Work First County Block Grants	80,093,566	80,093,566
03. Work First Electing Counties	2,378,213	2,378,213

04. Adoption Services – Special Children Adoption Fund	2,026,877	2,026,877
05. Child Protective Services – Child Welfare Workers for Local DSS	9,412,391	9,412,391 <u>21,559,645</u>
06. Funding for Counties to Assist with County Implementation of NC FAST, Project 4	8,092	0
07. Child Welfare Program Improvement Plan	775,176	775,176
08. Child Welfare Collaborative	400,000	400,000
09. Child Welfare Initiatives	1,400,000	1,400,000
Division of Child Development and Early Education		
10. Subsidized Child Care Program	53,203,069	45,813,694
11. Swap-Child Care Subsidy	5,400,000	12,600,000
12. NC Pre-K Services	66,300,000	68,300,000
Division of Public Health		
13. Teen Pregnancy Prevention Initiatives	3,450,000	3,450,000
DHHS Administration		
14. Division of Social Services	2,482,260	2,482,260
15. Office of the Secretary	34,042	34,042
16. Eligibility Systems – Operations and Maintenance	653,815	711,349 <u>1,045,775</u>
17. NC FAST Implementation	1,817,362	0396,659
18. Division of Social Services – Workforce Innovation & Opportunity Act (WIOA)	93,216	93,216 <u>83,874</u>
Transfers to Other Block Grants		
Division of Child Development and Early Education		
19. Transfer to the Child Care and Development Fund	21,773,001	21,773,001
Division of Social Services		

20. Transfer to Social Services Block Grant for Child Protective Services – Training	1,300,000	1,300,000
21. Transfer to Social Services Block Grant for Child Protective Services	5,040,000	5,040,000
22. Transfer to Social Services Block Grant for County Departments of Social Services for Children's Services	13,097,783	13,097,783
23. Transfer to Social Services Block Grant – Foster Care Services	1,385,152	1,385,152
24. Transfer to Social Services Block Grant – Child Advocacy Centers	1,582,000	1,582,000
25. Transfer to Social Services Block Grant – Child Protective Services, Child Welfare Training for Counties	737,067	737,067
TOTAL TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) FUNDS	\$312,392,996	\$310,435,701 <u>\$323,304,698</u>

**TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)
EMERGENCY CONTINGENCY FUNDS**

Local Program Expenditures

Division of Child Development and Early Education

01. Subsidized Child Care	\$33,439,988	\$33,439,988 <u>\$34,818,946</u>
TOTAL TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) EMERGENCY CONTINGENCY FUNDS	\$33,439,988	\$33,439,988 <u>\$34,818,946</u>

SOCIAL SERVICES BLOCK GRANT

Local Program Expenditures

Divisions of Social Services and Aging and Adult Services

01. County Departments of Social Services	\$19,905,849	\$19,905,849
02. County Departments of Social Services (Transfer From TANF)	13,097,783	13,097,783

03. EBCI Tribal Public Health and Human Services	244,740	244,740
04. Child Protective Services (Transfer From TANF)	5,040,000	5,040,000
05. State In-Home Services Fund	1,943,950	1,943,950
06. Adult Protective Services	2,138,404	2,138,404
07. State Adult Day Care Fund	1,994,084	1,994,084
08. Child Protective Services/CPS Investigative Services – Child Medical Evaluation Program	901,868	901,868
09. Special Children Adoption Incentive Fund	462,600	462,600 <u>762,600</u>
10. Child Protective Services – Child Welfare Training for Counties (Transfer From TANF)	1,300,000	1,300,000
11. Child Protective Services – Child Welfare Training for Counties (Transfer From TANF)	737,067	737,067
12. Home and Community Care Block Grant (HCCBG)	2,696,888	2,696,888
13. Child Advocacy Centers (Transfer from TANF \$1,582,000)	1,582,000	1,582,000
14. Guardianship – Division of Social Services	1,802,671	1,802,671 <u>13,082,411</u>
15. Foster Care Services (Transfer From TANF)	1,385,152	1,385,152
Division of Central Management and Support		
16. DHHS Competitive Block Grants for Nonprofits	4,774,525	4,774,525
Division of Mental Health, Developmental Disabilities, and Substance Abuse Services		
17. Mental Health Services – Adult and Child/Developmental Disabilities Program/ Substance Abuse Services – Adult	4,149,595	4,149,595

DHHS Program Expenditures

Division of Services for the Blind

18. Independent Living Program	3,603,793	3,603,793
Division of Health Service Regulation		
19. Adult Care Licensure Program	402,951	402,951
20. Mental Health Licensure and Certification Program	200,880	200,880
Division of Aging and Adult Services		
21. Guardianship	3,825,443	3,825,443
DHHS Administration		
22. Division of Aging and Adult Services	679,541	679,541
23. Division of Social Services	654,220	654,220
24. Office of the Secretary/Controller's Office	132,047	132,047
25. Legislative Increases/Fringe Benefits	236,278	236,278
26. Division of Child Development and Early Education	13,878	13,878
27. Division of Mental Health, Developmental Disabilities, and Substance Abuse Services	27,446	27,446
28. Division of Health Service Regulation	121,719	121,719
TOTAL SOCIAL SERVICES BLOCK GRANT	\$74,055,372	<u>\$74,055,372</u> <u>\$75,635,112</u>

LOW-INCOME ENERGY ASSISTANCE BLOCK GRANT

Local Program Expenditures

Division of Social Services

01. Low-Income Energy Assistance Program (LIEAP)	\$40,298,638	\$40,298,638 <u>\$40,950,767</u>
02. Crisis Intervention Program (CIP)	40,298,638	40,298,638 <u>40,950,767</u>

Local Administration

Division of Social Services

03. County DSS Administration	6,618,366	6,618,366 <u>6,725,467</u>
DHHS Administration		
Division of Central Management and Support		
04. Division of Social Services	10,000	10,000
<u>04A. AR4CA Replacement Project</u>		<u>119,486</u>
<u>04B. Winter Heating Program Outreach</u>		<u>100,000</u>
05. Office of the Secretary/DIRM	128,954	128,954
06. Office of the Secretary/Controller's Office	18,378	18,378
07. NC FAST Development	2,287,188	2,287,188 <u>581,123</u>
08. NC FAST Operations and Maintenance	2,539,033	2,539,033 <u>2,335,226</u>
Transfers to Other State Agencies		
Department of Environmental Quality		
09. Weatherization Program	8,692,641	8,552,641 <u>9,493,643</u>
10. Heating Air Repair and Replacement Program (HARRP)	5,881,761	5,701,761 <u>6,171,429</u>
11. Local Residential Energy Efficiency Service Providers – Weatherization	544,742	514,742 <u>573,072</u>
12. Local Residential Energy Efficiency Service Providers – HARRP	327,169	277,169 <u>351,654</u>
13. DEQ – Weatherization Administration	544,742	514,742 <u>623,072</u>
14. DEQ – HARRP Administration	277,169	277,169 <u>381,654</u>
Department of Administration		
15. N.C. Commission on Indian Affairs	87,736	87,736
TOTAL LOW-INCOME ENERGY ASSISTANCE BLOCK GRANT	\$108,555,155	\$108,125,155

\$109,602,428

CHILD CARE AND DEVELOPMENT FUND BLOCK GRANT

Local Program Expenditures

Division of Child Development and Early Education

01. Child Care Services	\$268,109,943	\$239,499,318 <u>\$245,658,197</u>
02. Smart Start Subsidy	7,392,654	7,392,654
03. Transfer from TANF Block Grant for Child Care Subsidies	21,773,001	21,773,001
04. Quality and Availability Initiatives (TEACH Program \$3,800,000)	67,217,124	55,217,124 <u>48,045,765</u>

DHHS Administration

Division of Child Development and Early Education

05. DCDEE Administrative Expenses	9,710,886	9,710,886 <u>10,062,728</u>
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Division of Social Services

06. Local Subsidized Child Care Services Support	18,533,357	18,533,357 <u>18,685,609</u>
07. Direct Deposit for Child Care Payments	505,100	505,100 <u>5,000</u>

Division of Central Management and Support

08. NC FAST Development	464,290	0 <u>100,880</u>
09. NC FAST Operations and Maintenance	1,104,504	1,201,697 <u>1,766,649</u>
10. DHHS Central Administration – DIRM Technical Services	645,162	645,162
11. DHHS Central Administration	7,346	7,346 <u>350,000</u>

Division of Public Health

12. Child Care Health Consultation Contracts	62,205	62,205
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TOTAL CHILD CARE AND DEVELOPMENT FUND BLOCK GRANT	\$395,525,572	\$354,547,850
MENTAL HEALTH SERVICES BLOCK GRANT		
Local Program Expenditures		
01. Mental Health Services – Child	\$4,779,087	\$4,779,087
02. Mental Health Services – Adult/Child	18,531,361	18,531,360 <u>19,295,850</u>
03. Mental Health Services – First Psychotic Symptom Treatment	1,976,970	1,976,970 <u>3,367,375</u>
DHHS Administration		
Division of Mental Health, Developmental Disabilities, and Substance Abuse Services		
04. Administration	200,000	200,000
TOTAL MENTAL HEALTH SERVICES BLOCK GRANT	\$25,487,418	\$25,487,417 <u>\$27,642,312</u>
SUBSTANCE ABUSE PREVENTION AND TREATMENT BLOCK GRANT		
Local Program Expenditures		
Division of Mental Health, Developmental Disabilities, and Substance Abuse Services		
01. Substance Abuse – HIV and IV Drug	\$3,500,747	\$2,550,915
02. Substance Abuse Prevention	9,110,422	9,110,422
03. Substance Abuse Services – Treatment for Children/Adults (Medication-Assisted Opioid Use Disorder Treatment Pilot Program \$500,000; First Step Farm of WNC, Inc. \$100,000)	28,203,732	29,500,823 <u>31,400,777</u>
05. Crisis Solutions Initiatives – Collegiate Wellness/Addiction Recovery	1,085,000	1,085,000
06. Crisis Solutions Initiatives – Community Paramedic Mobile Crisis Management	20,000	20,000
DHHS Program Expenditures		

Division of Central Management and Support

07. Competitive Grants	1,600,000	1,600,000
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DHHS Administration**Division of Mental Health, Developmental Disabilities, and Substance Abuse Services**

08. Administration	454,000	454,000
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09. Controlled Substance Reporting System Enhancement	427,655	427,655
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10. Veterans Initiatives	250,000	250,000
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Division of Public Health

11. HIV Testing for Individuals in Substance Abuse Treatment	1,300,000	0
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TOTAL SUBSTANCE ABUSE PREVENTION AND TREATMENT BLOCK GRANT

\$45,951,556	<u>\$44,998,815</u>	<u>\$46,898,769</u>
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MATERNAL AND CHILD HEALTH BLOCK GRANT**Local Program Expenditures****Division of Public Health**

01. Women and Children's Health Services (Safe Sleep Campaign \$45,000; Sickle Cell Centers \$100,000; Prevent Blindness \$575,000; March of Dimes \$350,000; Teen Pregnancy Prevention Initiatives \$650,000; 17P Project \$52,000; Nurse-Family Partnership \$550,000; Perinatal & Neonatal Outreach Coordinator Contracts \$440,000; Mountain Area Pregnancy Services \$250,000; Carolina Pregnancy Care Fellowship \$400,000)	\$14,719,224	<u>\$14,719,224</u> <u>\$15,892,309</u>
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02. Oral Health	48,227	<u>48,227</u> <u>54,215</u>
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03. Evidence-Based Programs in Counties With Highest Infant Mortality Rates	1,575,000	1,575,000
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DHHS Program Expenditures

04. Children's Health Services	1,427,323	<u>1,427,323</u> <u>1,477,119</u>
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05. Women's Health – Maternal Health	169,864	169,864 174,727
06. Women and Children's Health – Perinatal Strategic Plan Support Position	68,245	68,245 81,622
07. State Center for Health Statistics	158,583	158,583 160,965
08. Health Promotion – Injury and Violence Prevention	87,271	87,271 91,082
DHHS Administration		
09. Division of Public Health Administration	552,571	552,571 604,248
TOTAL MATERNAL AND CHILD HEALTH BLOCK GRANT	\$18,806,308	\$18,806,308 \$20,111,287

PREVENTIVE HEALTH SERVICES BLOCK GRANT

Local Program Expenditures

01. Physical Activity and Prevention	\$3,030,116	\$3,030,116
02. Injury and Violence Prevention (Services to Rape Victims – Set-Aside)	160,000	160,000

DHHS Program Expenditures

Division of Public Health

03. HIV/STD Prevention and Community Planning	137,648	137,648
04. Oral Health Preventive Services	150,000	150,000
05. Laboratory Services – Testing, Training, and Consultation	21,000	21,000
06. Injury and Violence Prevention (Services to Rape Victims – Set-Aside)	53,206	53,206
07. Performance Improvement and Accountability	592,123	592,123 643,449
08. State Center for Health Statistics	82,505	82,505

DHHS Administration

Division of Public Health

09. Division of Public Health	65,000	65,000
TOTAL PREVENTIVE HEALTH SERVICES BLOCK GRANT	\$4,291,598	<u>\$4,291,598</u> <u>\$4,342,924</u>
COMMUNITY SERVICES BLOCK GRANT		
01. Community Action Agencies	\$24,170,204	\$20,539,214 <u>\$24,109,518</u>
02. Discretionary Funding	921,096	921,096 <u>723,194</u>
03. Office of Economic Opportunity	981,096	981,096 <u>1,141,652</u>
04. Office of Economic Opportunity – Workforce Investment Opportunities Act (WIOA)	60,000	60,000
<u>05. AR4CA Replacement Project</u>		<u>358,458</u>
TOTAL COMMUNITY SERVICES BLOCK GRANT	\$26,132,396	<u>\$22,501,406</u> <u>\$26,392,822</u>

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"TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) FUNDS

...

"**SECTION 1.1.(h)** The sum of ~~nine million four hundred twelve thousand three hundred ninety-one dollars (\$9,412,391)~~ twenty-one million five hundred fifty-nine thousand six hundred forty-five dollars (\$21,559,645) appropriated in this act to the Department of Health and Human Services, Division of Social Services, in TANF funds for ~~each fiscal year of the 2019-2021 2020-2021~~ fiscal biennium year for child welfare improvements shall be allocated to the county departments of social services for hiring or contracting staff to investigate and provide services in Child Protective Services cases; to provide foster care and support services; to recruit, train, license, and support prospective foster and adoptive families; and to provide interstate and post-adoption services for eligible families.

Counties shall maintain their level of expenditures in local funds for Child Protective Services workers. Of the Block Grant funds appropriated for Child Protective Services workers, the total expenditures from State and local funds for fiscal years 2019-2020 and 2020-2021 shall not be less than the total expended from State and local funds for the 2012-2013 fiscal year.

...

"SOCIAL SERVICES BLOCK GRANT

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"**SECTION 1.1.(s)** The sum of ~~three million eight hundred twenty-five thousand four hundred forty-three dollars (\$3,825,443)~~ for each fiscal year of the 2019-2021 fiscal biennium six million nine hundred seven thousand eight hundred fifty-four dollars (\$6,907,854) for the 2020-2021 fiscal year appropriated in this act in the Social Services Block Grant to the Department of Health and Human Services, Divisions of Social Services and Aging and Adult Services, shall be used for guardianship services pursuant to Chapter 35A of the General Statutes.

The Department may expend funds allocated in this section to support existing corporate guardianship contracts during the ~~2019-2020 and 2020-2021~~ fiscal ~~years-year~~.

...

"LOW-INCOME ENERGY ASSISTANCE BLOCK GRANT

"SECTION 1.1.(v) For the 2020-2021 fiscal year, the Division of Social Services shall have the authority to realign appropriated funds between the State-level services Low Income Energy Assistance Payments and Crisis Assistance Payments without prior consultation with the Joint Legislative Oversight Committee on Health and Human Services to ensure needs are effectively met without exceeding the total amount appropriated for these State-level service items. Additional emergency contingency funds received may be allocated for Energy Assistance Payments or Crisis Intervention Payments without prior consultation with the Joint Legislative Oversight Committee on Health and Human Services. Additional funds received shall be reported to the Joint Legislative Oversight Committee on Health and Human Services and the Fiscal Research Division upon notification of the award. The Department of Health and Human Services shall not allocate funds for any activities, including increasing administration, other than assistance payments, without prior consultation with the Joint Legislative Oversight Committee on Health and Human Services.

"SECTION 1.1.(w) ~~The sum of forty million two hundred ninety-eight thousand six hundred thirty-eight dollars (\$40,298,638) for each year of the 2019-2021 fiscal biennium~~ nine hundred fifty thousand seven hundred sixty-seven dollars (\$40,950,767) for the 2020-2021 fiscal year appropriated in this act in the Low-Income Energy Assistance Block Grant to the Department of Health and Human Services, Division of Social Services, shall be used for Energy Assistance Payments for the households of (i) elderly persons age 60 and above with income up to one hundred thirty percent (130%) of the federal poverty level and (ii) disabled persons eligible for services funded through the Division of Aging and Adult Services.

County departments of social services shall submit to the Division of Social Services an outreach plan for targeting households with 60-year-old household members no later than August 1 of each year. The outreach plan shall comply with the following:

- (1) Ensure that eligible households are made aware of the available assistance, with particular attention paid to the elderly population age 60 and above and disabled persons receiving services through the Division of Aging and Adult Services.
- (2) Include efforts by the county department of social services to contact other State and local governmental entities and community-based organizations to (i) offer the opportunity to provide outreach and (ii) receive applications for energy assistance.
- (3) Be approved by the local board of social services or human services board prior to submission.

"SECTION 1.1.(w1) The Department of Health and Human Services shall develop and implement a centralized system to collect, track, analyze, monitor, and disseminate performance, outputs, and outcome data for the Community Services Block Grant Program and the Department of Environmental Quality (DEQ) Weatherization Assistance Program to replace the current software solution, Accountable Results for Community Action (AR4CA). The project shall not proceed until the business case has been approved by the Office of State Budget and Management and the State Chief Information Officer in the Enterprise Project Management Office's Touchdown System. Upon approval, amounts not to exceed one hundred nineteen thousand four hundred eighty-six dollars (\$119,486) in Low Income Energy Assistance funds may be budgeted for transfer to Budget Code 24410 for information technology projects for the 2020-2021 fiscal year.

...

"MENTAL HEALTH SERVICES BLOCK GRANT

"SECTION 1.1.(z) The sum of ~~one million nine hundred seventy-six thousand nine hundred seventy dollars (\$1,976,970)~~ three million three hundred sixty-seven thousand three hundred seventy-five dollars (\$3,367,375) appropriated in this act in the Mental Health Services Block Grant to the Department of Health and Human Services, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, for ~~each year of the 2019-2021 fiscal biennium~~ the 2020-2021 fiscal year is allocated for Mental Health Services – First Psychotic Symptom Treatment.

...

"MATERNAL AND CHILD HEALTH BLOCK GRANT

...

"SECTION 1.1.(dd) The sum of ~~sixty-eight thousand two hundred forty-five dollars (\$68,245)~~ eighty-one thousand six hundred twenty-two dollars (\$81,622) allocated in this section in the Maternal and Child Health Block Grant to the Department of Health and Human Services, Division of Public Health, Women and Children's Health Section, for ~~each fiscal year of the 2019-2021 fiscal biennium~~ the 2020-2021 fiscal year shall not be used to supplant existing State or federal funds. This allocation shall be used for a Public Health Program Consultant position assigned full-time to manage the North Carolina Perinatal Health Strategic Plan and provide staff support for the stakeholder work group.

...

"COMMUNITY SERVICES BLOCK GRANT

"SECTION 1.1.(gg) Upon development, implementation, and approval of the centralized system described in subsection (w1) of this section, amounts not to exceed three hundred fifty-eight thousand four hundred fifty-eight dollars (\$358,458) in Community Service Block Grant funds may be budgeted for transfer to Budget Code 24410 for information technology projects for the 2020-2021 fiscal year."

SECTION 2A.1.(b) This section is effective when it becomes law.

PART III. PSYCHIATRIC PRIVILEGE EXEMPTION

SECTION 3.1.(a) G.S. 14-318.6(h) reads as rewritten:

"(h) Nothing in this section shall be construed as to require a person with a privilege under G.S. 8-53.3, 8-53.7, 8-53.8, or ~~8-53.12~~ or 8-53.12, with attorney-client ~~privilege~~ privilege, or a psychiatrist licensed under Article 1 of Chapter 90 of the General Statutes to report pursuant to this section if that privilege would prevent them from doing so."

SECTION 3.1.(b) This section is effective when it becomes law.

PART IV. EFFECTIVE DATE

SECTION 4.1. Except as otherwise provided, this act becomes effective October 1, 2020.

In the General Assembly read three times and ratified this the 26th day of June, 2020.

s/ Philip E. Berger
President Pro Tempore of the Senate

s/ Tim Moore
Speaker of the House of Representatives

Roy Cooper
Governor

Approved _____m. this _____ day of _____, 2020