



HOUSE BILL 145: Social Services Reform.

2023-2024 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	May 3, 2023
Introduced by:	Rep. Stevens	Prepared by:	Debbie Griffiths
Analysis of:	First Edition		Staff Attorney

OVERVIEW: *House Bill 145 would do the following:*

- *Add mandatory training and education for new county board of social services members to the duties and responsibilities of that board.*
- *Require the Department of Health and Human Services, Division of Social Services, to create the training and education program in collaboration with the stakeholders.*
- *Require the Administrative Office of the Courts to conduct a feasibility and cost study for the establishment of a child support tribunal.*
- *Establish a procedure to resolve conflicts of interest when they arise in a county department of social services or between county departments of social services.*

SECTION 1.(a) G.S. 108A-9-DUTIES AND RESPONSIBILITIES

CURRENT LAW AND BILL ANALYSIS:

Currently, there is no training requirement for members of a county board of social services.

Section 1.(a) of the bill would require that new board members attend an education and training session during the first year they serve on the board.

EFFECTIVE DATE: Section 1.(a) becomes effective October 1, 2023 and by October 1, 2025, all current county board of social services members must have participated in the required education and training requirements.

SECTION 1.(b)-CREATION OF NEW EDUCATION AND TRAINING PROGRAM FOR NEW COUNTY BOARD OF SOCIAL SERVICES MEMBERS.

BILL ANALYSIS: The Department of Health and Human Services, Division of Social Services (the Department), would be required to create a formal education and training program for new members of the board of social services that would be available statewide by March 1, 2024. One segment of the program would be required to address the potential liabilities of county boards of social services. The training would be required to be developed in collaboration with key stakeholders including the North Carolina Association of County Boards of Social Services, Association of North Carolina County Social Services Directors, North Carolina Association of County Commissioners, and the University of North Carolina School of Government.

EFFECTIVE DATE: Section 1.(b) would be effective when it becomes law.

Jeffrey Hudson
Director



Legislative Analysis
Division
919-733-2578

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SECTION 2-FEASIBILITY AND COST STUDY FOR PROPOSED CHILD SUPPORT TRIBUNAL

BILL ANALYSIS: The Administrative Office of the Courts (AOC) would be required to conduct a feasibility and cost study of a proposed child support tribunal (the tribunal). The tribunal would have dedicated court officers to hear child support matters using quasi-judicial procedures. The minimum requirements for the study are:

- Strategies to address funding.
- Staffing.
- Implementation of the plan.

AOC would be required to submit its report containing findings and recommendations to the Joint Legislative Oversight Committee of Health and Human Services by March 1, 2024.

EFFECTIVE DATE: Section 2 would be effective when it becomes law.

SECTION 3.(a)-G.S. 108A-15.16-CONFLICTS OF INTEREST

BILL ANALYSIS: Section 3 would amend Part 2B of Article 1 of Chapter 108A of the General Statutes by adding a new section to address conflicts of interest. The Social Services Commission would be required to adopt rules regarding conflicts of interest management, including the establishment of reasonable timelines to resolve conflicts of interest. A "conflict of interest" would exist when one of the following occurs:

- When a county department of social services (department) owes is not able to manage adverse interests of two individuals the department owes a duty to serve.
- The department is unable to objectively fulfill its statutory obligations because of a preexisting relationship between an individual and the county.
- When the provision of services and duty owed by one department conflicts with the services and duty owed by another department.

Conflicts of interest would be required to be resolved by the departments as expeditiously as possible consistent with applicable law and any policies and procedures that would be established by the Department of Health and Human Services (DHHS). Those policies and procedures would address county financial and practice responsibilities associated with conflicts of interest. The department would be required to notify DHHS upon discovery of a conflict of interest and DHHS would have final decision on assignments if the department cannot resolve the conflict.

EFFECTIVE DATE: Section 3 of this act would be effective when it becomes law. Upon adoption of rules required by Section 13.(a), the Social Services Commission would be required to report to the Joint Legislative Oversight Committee on Health and Human Services. Unless otherwise stated, this act would become effective when it becomes law.