

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

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SENATE BILL 168  
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Short Title: DHHS & Other Revisions.

(Public)

Sponsors:

Referred to:

February 28, 2019

1 A BILL TO BE ENTITLED  
2 AN ACT MAKING TECHNICAL, CONFORMING, AND OTHER MODIFICATIONS TO  
3 LAWS PERTAINING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES  
4 AND ADDING A PSYCHIATRIC PHYSICIAN PRIVILEGE EXCEPTION TO CRIMES  
5 AGAINST JUVENILES REPORTING REQUIREMENTS.

6 The General Assembly of North Carolina enacts:

7  
8 **PART I. TECHNICAL, CONFORMING, AND OTHER CHANGES RELATED TO THE**  
9 **DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND**  
10 **SUBSTANCE ABUSE SERVICES**

11  
12 **ALIGNMENT OF DEVELOPMENTAL DISABILITY DEFINITION WITH FEDERAL**  
13 **LAW**

14 **SECTION 1.1.** G.S. 122C-3(12a) reads as rewritten:  
15 "(12a) Developmental disability. – A severe, chronic disability of a person that  
16 satisfies all of the following:  
17 a. Is attributable to one or more impairments a mental or physical  
18 impairment or combination of mental and physical impairments.  
19 ...."

20  
21 **ALLOW CO-PAYMENT SCHEDULE FOR BEHAVIORAL HEALTH,**  
22 **INTELLECTUAL AND DEVELOPMENTAL DISABILITIES, AND SUBSTANCE USE**  
23 **DISORDER SERVICES**

24 **SECTION 1.2.** G.S. 122C-112.1(a)(34) reads as rewritten:  
25 "(34) Adopt rules for the implementation of a co-payment graduated schedule to for  
26 behavioral health services, intellectual and developmental disabilities  
27 services, and substance use disorder services based on the Medicaid  
28 co-payments for such services, which shall be used by LMEs and by  
29 contractual provider agencies under G.S. 122C-146. The co-payment  
30 graduated schedule shall be developed to adopted under this subdivision shall  
31 require a co-payment for services identified by the Secretary. Families whose



1 family income is three hundred percent (300%) or greater of the federal  
2 poverty level are eligible for services with the applicable co-payment."  
3

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

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

7 "(f) Upon written application and in accordance with rules of the Commission, the  
8 Secretary may for good cause waive any of the rules implementing this Article, provided those  
9 rules do not affect the health, safety, or welfare of the individuals within the licensable facility.  
10 Decisions made pursuant to this subsection may be appealed to the Commission for a hearing in  
11 accordance with by filing a contested case under Article 3 of Chapter 150B of the General  
12 Statutes."  
13

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

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

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

25 (1) The Secretary has received a request:

- 26 a. To certify a licensed clinical social worker, a master's or higher level  
27 degree nurse practitioner, a licensed ~~professional counsellor~~, clinical  
28 mental health counselor or a physician's assistant to conduct the first  
29 examinations described in G.S. 122C-263(c) and G.S. 122C-283(c).  
30 b. To certify a master's level licensed clinical addictions specialist to  
31 conduct the first examination described in G.S. 122C-283(c).  
32

33 ...

(5) In no event shall the certification of a licensed clinical social worker, master's  
34 or higher level degree nurse practitioner, licensed ~~professional counsellor~~,  
35 clinical mental health counselor, physician assistant, or master's level certified  
36 clinical addictions specialist under this section be construed as authorization  
37 to expand the scope of practice of the licensed clinical social worker, the  
38 master's level nurse practitioner, licensed ~~professional counsellor~~, clinical  
39 mental health counselor, physician assistant, or the master's level certified  
40 clinical addictions specialist.  
41

42 ...."

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

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

47 **"SECTION 3F.1.(b)** Notwithstanding any provision of Chapter 122C of the General  
48 Statutes or any other provision of law to the contrary, the first examination of a respondent  
49 required by G.S. 122C-263(a) to determine whether the respondent will be involuntarily  
50 committed due to mental illness or required by G.S. 122C-283(a) to determine whether the  
51 respondent will be involuntarily committed due to substance use disorder may be conducted

1 either in the physical face-to-face presence of the commitment examiner or utilizing telehealth  
2 equipment and procedures. A commitment examiner who examines a respondent by means of  
3 telehealth must be satisfied to a reasonable medical certainty that the determinations made in  
4 accordance with G.S. 122C-283(d) would not be different if the examination had been conducted  
5 in the physical presence of the commitment examiner. A commitment examiner who is not so  
6 satisfied must note that the examination was not satisfactorily accomplished, and the respondent  
7 must be taken for a face-to-face examination in the physical presence of a person authorized to  
8 perform examinations under G.S. 122C-283."

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

10  
11 **PART II. TECHNICAL, CONFORMING, AND OTHER CHANGES RELATED TO THE**  
12 **DIVISION OF PUBLIC HEALTH**

13  
14 **TECHNICAL CORRECTION TO STATUTE GOVERNING TRANSITIONAL**  
15 **PERMITS FOR FOOD ESTABLISHMENTS**

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

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

30  
31 **REGULATION OF TEMPORARY DISPLAY SPAS**

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

33 **"§ 130A-280. Scope.**

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

49

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

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

5 "(a) The Chief Medical Examiner shall appoint two or more county medical examiners for  
6 each county for a three-year term. In appointing medical examiners for each county, the Chief  
7 Medical Examiner shall give preference to physicians licensed to practice medicine in this State  
8 but may also appoint ~~licensed-retired physicians previously licensed to practice in this State;~~  
9 physician assistants, nurse practitioners, ~~nurses,~~ or nurses licensed to practice in this State;  
10 emergency medical technician ~~paramedics.~~ paramedics credentialed under G.S. 131E-159;  
11 medicolegal death investigators certified by the American Board of Medicolegal Death  
12 Investigators; pathologists' assistants; and dentists licensed to practice in this State. A medical  
13 examiner may serve more than one county. The Chief Medical Examiner may take jurisdiction  
14 in any case or appoint another medical examiner to do so."  
15

16 **ALLOW CHIEF MEDICAL EXAMINER TO APPOINT EMERGENCY MEDICAL**  
17 **EXAMINERS DURING STATES OF EMERGENCY**

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

19 "(a1) During a state of emergency declared by the Governor or by a resolution of the  
20 General Assembly as provided in G.S. 166A-19.20, or by the governing body of a county or  
21 municipality as provided in G.S. 166A-19.22, the Chief Medical Examiner is authorized to  
22 appoint temporary county medical examiners to serve for the duration of the declared state of  
23 emergency. For purposes of this section, "temporary county medical examiner" means an  
24 individual who has been determined by the Chief Medical Examiner to have the appropriate  
25 training, education, and experience to serve as a county medical examiner during a declared state  
26 of emergency."  
27

28 **ESTABLISHMENT OF CONFIDENTIALITY FOR CERTAIN DEATH**  
29 **INVESTIGATION INFORMATION**

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

32 **§ 130A-386.5. Confidentiality of certain death investigation information and records**  
33 **received by the Office of the Chief Medical Examiner.**

34 All information and records provided by a city, county, or other public entity to the Office of  
35 the Chief Medical Examiner, or its agents, concerning a death investigation shall retain the same  
36 degree of confidentiality it had while in the possession of the city, county, or other public entity.  
37 Such information and records shall not become public records, as defined under Chapters 121  
38 and 132 of the General Statutes, when provided to the Office of the Chief Medical Examiner, or  
39 its agents, unless the information and records otherwise constituted public records while in the  
40 possession of the city, county, or other public entity."  
41

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

44 **SECTION 2A.1.(a)** Section 1.1 of S.L. 2019-192, as amended by Section 4.9 of S.L.  
45 2020-4, reads as rewritten:

46 **"DHHS BLOCK GRANTS**

47 **"SECTION 1.1.(a)** Except as otherwise provided, appropriations from federal block grant  
48 funds are made for each year of the fiscal biennium ending June 30, 2021, according to the  
49 following schedule:  
50

51 **TEMPORARY ASSISTANCE FOR NEEDY**

**FY 2019-2020**

**FY 2020-2021**

1	<b>FAMILIES (TANF) FUNDS</b>		
2			
3	<b>Local Program Expenditures</b>		
4			
5	<b>Division of Social Services</b>		
6			
7	01. Work First Family Assistance	\$37,549,914	\$35,549,914
8			
9	02. Work First County Block Grants	80,093,566	80,093,566
10			
11	03. Work First Electing Counties	2,378,213	2,378,213
12			
13	04. Adoption Services – Special Children		
14	Adoption Fund	2,026,877	2,026,877
15			
16	05. Child Protective Services – Child Welfare		
17	Workers for Local DSS	9,412,391	9,412,391
18			<u>21,559,645</u>
19			
20	06. Funding for Counties to Assist with County		
21	Implementation of NC FAST, Project 4	8,092	0
22			
23	07. Child Welfare Program Improvement Plan	775,176	775,176
24			
25	08. Child Welfare Collaborative	400,000	400,000
26			
27	09. Child Welfare Initiatives	1,400,000	1,400,000
28			
29	<b>Division of Child Development and Early Education</b>		
30			
31	10. Subsidized Child Care Program	53,203,069	45,813,694
32			
33	11. Swap-Child Care Subsidy	5,400,000	12,600,000
34			
35	12. NC Pre-K Services	66,300,000	68,300,000
36			
37	<b>Division of Public Health</b>		
38			
39	13. Teen Pregnancy Prevention Initiatives	3,450,000	3,450,000
40			
41	<b>DHHS Administration</b>		
42			
43	14. Division of Social Services	2,482,260	2,482,260
44			
45	15. Office of the Secretary	34,042	34,042
46			
47	16. Eligibility Systems – Operations and		
48	Maintenance	653,815	711,349
49			<u>1,045,775</u>
50			
51	17. NC FAST Implementation	1,817,362	<u>0396,659</u>

1			
2	18. Division of Social Services – Workforce		
3	Innovation & Opportunity Act (WIOA)	93,216	93,216 <u>83,874</u>
4			
5	<b>Transfers to Other Block Grants</b>		
6			
7	<b>Division of Child Development and Early Education</b>		
8			
9	19. Transfer to the Child Care and		
10	Development Fund	21,773,001	21,773,001
11			
12	<b>Division of Social Services</b>		
13			
14	20. Transfer to Social Services Block		
15	Grant for Child Protective Services –		
16	Training	1,300,000	1,300,000
17			
18	21. Transfer to Social Services Block		
19	Grant for Child Protective Services	5,040,000	5,040,000
20			
21	22. Transfer to Social Services Block		
22	Grant for County Departments of		
23	Social Services for Children's Services	13,097,783	13,097,783
24			
25	23. Transfer to Social Services Block		
26	Grant – Foster Care Services	1,385,152	1,385,152
27			
28	24. Transfer to Social Services Block		
29	Grant – Child Advocacy Centers	1,582,000	1,582,000
30			
31	25. Transfer to Social Services Block		
32	Grant – Child Protective Services,	737,067	737,067
33	Child Welfare Training for Counties		
34			
35	<b>TOTAL TEMPORARY ASSISTANCE FOR</b>		
36	<b>NEEDY FAMILIES (TANF) FUNDS</b>	<b>\$312,392,996</b>	<b>\$310,435,701</b>
37			<b><u>\$323,304,698</u></b>
38			
39	<b>TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)</b>		
40	<b>EMERGENCY CONTINGENCY FUNDS</b>		
41			
42	<b>Local Program Expenditures</b>		
43			
44	<b>Division of Child Development and Early Education</b>		
45			
46	01. Subsidized Child Care	\$33,439,988	\$33,439,988
47			<u>\$34,818,946</u>
48			
49	<b>TOTAL TEMPORARY ASSISTANCE FOR</b>		
50	<b>NEEDY FAMILIES (TANF) EMERGENCY</b>		
51	<b>CONTINGENCY FUNDS</b>	<b>\$33,439,988</b>	<b>\$33,439,988</b>

\$34,818,946**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	<del>462,600</del> 762,600
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	<del>1,802,671</del> 3,082,411
15. Foster Care Services (Transfer From TANF)	1,385,152	1,385,152

**Division of Central Management and Support**

1	16. DHHS Competitive Block Grants		
2	for Nonprofits	4,774,525	4,774,525
3			
4	<b>Division of Mental Health, Developmental Disabilities, and Substance Abuse Services</b>		
5			
6	17. Mental Health Services – Adult and		
7	Child/Developmental Disabilities Program/		
8	Substance Abuse Services – Adult	4,149,595	4,149,595
9			
10	<b>DHHS Program Expenditures</b>		
11			
12	<b>Division of Services for the Blind</b>		
13			
14	18. Independent Living Program	3,603,793	3,603,793
15			
16	<b>Division of Health Service Regulation</b>		
17			
18	19. Adult Care Licensure Program	402,951	402,951
19			
20	20. Mental Health Licensure and		
21	Certification Program	200,880	200,880
22			
23	<b>Division of Aging and Adult Services</b>		
24			
25	21. Guardianship	3,825,443	3,825,443
26			
27	<b>DHHS Administration</b>		
28			
29	22. Division of Aging and Adult Services	679,541	679,541
30			
31	23. Division of Social Services	654,220	654,220
32			
33	24. Office of the Secretary/Controller's Office	132,047	132,047
34			
35	25. Legislative Increases/Fringe Benefits	236,278	236,278
36			
37	26. Division of Child Development and		
38	Early Education	13,878	13,878
39			
40	27. Division of Mental Health, Developmental		
41	Disabilities, and Substance Abuse Services	27,446	27,446
42			
43	28. Division of Health Service Regulation	121,719	121,719
44			
45	<b>TOTAL SOCIAL SERVICES BLOCK GRANT</b>	<b>\$74,055,372</b>	<b>\$74,055,372</b>
46			<b><u>\$75,635,112</u></b>
47			
48	<b>LOW-INCOME ENERGY ASSISTANCE BLOCK GRANT</b>		
49			
50	<b>Local Program Expenditures</b>		
51			



1	<b>Division of Social Services</b>		
2			
3	01. Low-Income Energy Assistance		
4	Program (LIEAP)	\$40,298,638	<del>\$40,298,638</del>
5			<u>\$40,950,767</u>
6			
7	02. Crisis Intervention Program (CIP)	40,298,638	<del>40,298,638</del>
8			<u>40,950,767</u>
9			
10	<b>Local Administration</b>		
11			
12	<b>Division of Social Services</b>		
13			
14	03. County DSS Administration	6,618,366	<del>6,618,366</del>
15			<u>6,725,467</u>
16			
17	<b>DHHS Administration</b>		
18			
19	<b>Division of Central Management and Support</b>		
20			
21	04. Division of Social Services	10,000	10,000
22			
23	<u>04A. AR4CA Replacement Project</u>		<u>119,486</u>
24			
25	<u>04B. Winter Heating Program Outreach</u>		<u>100,000</u>
26			
27	05. Office of the Secretary/DIRM	128,954	128,954
28			
29	06. Office of the Secretary/Controller's Office	18,378	18,378
30			
31	07. NC FAST Development	2,287,188	<del>2,287,188</del>
32			<u>581,123</u>
33			
34	08. NC FAST Operations and Maintenance	2,539,033	<del>2,539,033</del>
35			<u>2,335,226</u>
36			
37	<b>Transfers to Other State Agencies</b>		
38			
39	<b>Department of Environmental Quality</b>		
40			
41	09. Weatherization Program	8,692,641	<del>8,552,641</del>
42			<u>9,493,643</u>
43			
44	10. Heating Air Repair and Replacement		
45	Program (HARRP)	5,881,761	<del>5,701,761</del>
46			<u>6,171,429</u>
47			
48	11. Local Residential Energy Efficiency Service		
49	Providers – Weatherization	544,742	<del>514,742</del> <u>573,072</u>
50			
51	12. Local Residential Energy Efficiency Service		

1	Providers – HARRP	327,169	<u>277,169</u> 351,654
2			
3	13. DEQ – Weatherization Administration	544,742	<u>514,742</u> 623,072
4			
5	14. DEQ – HARRP Administration	277,169	<u>277,169</u> 381,654
6			
7	<b>Department of Administration</b>		
8			
9	15. N.C. Commission on Indian Affairs	87,736	87,736
10			
11	<b>TOTAL LOW-INCOME ENERGY</b>		
12	<b>ASSISTANCE BLOCK GRANT</b>	<b>\$108,555,155</b>	<b><u>\$108,125,155</u></b>
13			<b><u>\$109,602,428</u></b>
14			
15	<b>CHILD CARE AND DEVELOPMENT FUND BLOCK GRANT</b>		
16			
17	<b>Local Program Expenditures</b>		
18			
19	<b>Division of Child Development and Early Education</b>		
20			
21	01. Child Care Services	\$268,109,943	<u>\$239,499,318</u>
22			<u>\$245,658,197</u>
23			
24	02. Smart Start Subsidy	7,392,654	7,392,654
25			
26	03. Transfer from TANF Block Grant		
27	for Child Care Subsidies	21,773,001	21,773,001
28			
29	04. Quality and Availability Initiatives		
30	(TEACH Program \$3,800,000)	67,217,124	<u>55,217,124</u>
31			<u>48,045,765</u>
32			
33	<b>DHHS Administration</b>		
34			
35	<b>Division of Child Development and Early Education</b>		
36			
37	05. DCDEE Administrative Expenses	9,710,886	<u>9,710,886</u>
38			<u>10,062,728</u>
39			
40	<b>Division of Social Services</b>		
41			
42	06. Local Subsidized Child Care		
43	Services Support	18,533,357	<u>18,533,357</u>
44			<u>18,685,609</u>
45			
46	07. Direct Deposit for Child Care Payments	505,100	<u>505,100</u> 5,000
47			
48	<b>Division of Central Management and Support</b>		
49			
50	08. NC FAST Development	464,290	<u>0</u> 100,880
51			

1	09. NC FAST Operations and Maintenance	1,104,504	<del>1,201,697</del>
2			<u>1,766,649</u>
3			
4	10. DHHS Central Administration – DIRM		
5	Technical Services	645,162	645,162
6			
7	11. DHHS Central Administration	7,346	<del>7,346</del> <u>350,000</u>
8			
9	<b>Division of Public Health</b>		
10			
11	12. Child Care Health Consultation Contracts	62,205	62,205
12			
13	<b>TOTAL CHILD CARE AND DEVELOPMENT</b>		
14	<b>FUND BLOCK GRANT</b>	<b>\$395,525,572</b>	<b>\$354,547,850</b>
15			
16	<b>MENTAL HEALTH SERVICES BLOCK GRANT</b>		
17			
18	<b>Local Program Expenditures</b>		
19			
20	01. Mental Health Services – Child	\$4,779,087	\$4,779,087
21			
22	02. Mental Health Services – Adult/Child	18,531,361	<del>18,531,360</del>
23			<u>19,295,850</u>
24			
25	03. Mental Health Services – First		
26	Psychotic Symptom Treatment	1,976,970	<del>1,976,970</del>
27			<u>3,367,375</u>
28			
29	<b>DHHS Administration</b>		
30			
31	<b>Division of Mental Health, Developmental Disabilities, and Substance Abuse Services</b>		
32			
33	04. Administration	200,000	200,000
34			
35	<b>TOTAL MENTAL HEALTH SERVICES</b>		
36	<b>BLOCK GRANT</b>	<b>\$25,487,418</b>	<b>\$25,487,417</b>
37			<u>\$27,642,312</u>
38			
39	<b>SUBSTANCE ABUSE PREVENTION AND TREATMENT BLOCK GRANT</b>		
40			
41	<b>Local Program Expenditures</b>		
42			
43	<b>Division of Mental Health, Developmental Disabilities, and Substance Abuse Services</b>		
44			
45	01. Substance Abuse – HIV and IV Drug	\$3,500,747	\$2,550,915
46			
47	02. Substance Abuse Prevention	9,110,422	9,110,422
48			
49	03. Substance Abuse Services – Treatment for		
50	Children/Adults		
51	(Medication-Assisted Opioid Use Disorder		

1	Treatment Pilot Program \$500,000;		
2	First Step Farm of WNC, Inc. \$100,000)	28,203,732	<u>29,500,823</u>
3			<u>31,400,777</u>
4			
5	05. Crisis Solutions Initiatives – Collegiate		
6	Wellness/Addiction Recovery	1,085,000	1,085,000
7			
8	06. Crisis Solutions Initiatives – Community		
9	Paramedic Mobile Crisis Management	20,000	20,000
10			
11	<b>DHHS Program Expenditures</b>		
12			
13	<b>Division of Central Management and Support</b>		
14			
15	07. Competitive Grants	1,600,000	1,600,000
16			
17	<b>DHHS Administration</b>		
18			
19	<b>Division of Mental Health, Developmental Disabilities, and Substance Abuse Services</b>		
20			
21	08. Administration	454,000	454,000
22			
23	09. Controlled Substance Reporting System		
24	Enhancement	427,655	427,655
25			
26	10. Veterans Initiatives	250,000	250,000
27			
28	<b>Division of Public Health</b>		
29			
30	11. HIV Testing for Individuals in Substance		
31	Abuse Treatment	1,300,000	0
32			
33	<b>TOTAL SUBSTANCE ABUSE PREVENTION</b>		
34	<b>AND TREATMENT BLOCK GRANT</b>	<b>\$45,951,556</b>	<b><u>\$44,998,815</u></b>
35			<b><u>\$46,898,769</u></b>
36			
37	<b>MATERNAL AND CHILD HEALTH BLOCK GRANT</b>		
38			
39	<b>Local Program Expenditures</b>		
40			
41	<b>Division of Public Health</b>		
42			
43	01. Women and Children's Health Services		
44	(Safe Sleep Campaign \$45,000; Sickle Cell		
45	Centers \$100,000; Prevent Blindness \$575,000;		
46	March of Dimes \$350,000; Teen Pregnancy		
47	Prevention Initiatives \$650,000;		
48	17P Project \$52,000; Nurse-Family		
49	Partnership \$550,000; Perinatal & Neonatal		
50	Outreach Coordinator Contracts \$440,000;		
51	Mountain Area Pregnancy Services \$250,000;		

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1	Carolina Pregnancy Care Fellowship \$400,000)	\$14,719,224	\$14,719,224
2			<u>\$15,892,309</u>
3			
4	02. Oral Health	48,227	<del>48,227</del> <u>54,215</u>
5			
6	03. Evidence-Based Programs in Counties		
7	With Highest Infant Mortality Rates	1,575,000	1,575,000
8			
9	<b>DHHS Program Expenditures</b>		
10			
11	04. Children's Health Services	1,427,323	<del>1,427,323</del>
12			<u>1,477,119</u>
13			
14	05. Women's Health – Maternal Health	169,864	<del>169,864</del> <u>174,727</u>
15			
16	06. Women and Children's Health – Perinatal		
17	Strategic Plan Support Position	68,245	<del>68,245</del> <u>81,622</u>
18			
19	07. State Center for Health Statistics	158,583	<del>158,583</del> <u>160,965</u>
20			
21	08. Health Promotion – Injury and		
22	Violence Prevention	87,271	<del>87,271</del> <u>91,082</u>
23			
24	<b>DHHS Administration</b>		
25			
26	09. Division of Public Health Administration	552,571	<del>552,571</del> <u>604,248</u>
27			
28	<b>TOTAL MATERNAL AND CHILD</b>		
29	<b>HEALTH BLOCK GRANT</b>	<b>\$18,806,308</b>	<b><u>\$18,806,308</u></b>
30			<b><u>\$20,111,287</u></b>
31			
32	<b>PREVENTIVE HEALTH SERVICES BLOCK GRANT</b>		
33			
34	<b>Local Program Expenditures</b>		
35			
36	01. Physical Activity and Prevention	\$3,030,116	\$3,030,116
37			
38	02. Injury and Violence Prevention		
39	(Services to Rape Victims – Set-Aside)	160,000	160,000
40			
41	<b>DHHS Program Expenditures</b>		
42			
43	<b>Division of Public Health</b>		
44			
45	03. HIV/STD Prevention and		
46	Community Planning	137,648	137,648
47			
48	04. Oral Health Preventive Services	150,000	150,000
49			
50	05. Laboratory Services – Testing,		
51	Training, and Consultation	21,000	21,000

1			
2	06. Injury and Violence Prevention		
3	(Services to Rape Victims – Set-Aside)	53,206	53,206
4			
5	07. Performance Improvement and		
6	Accountability	592,123	<u>592,123</u> 643,449
7			
8	08. State Center for Health Statistics	82,505	82,505
9			
10	<b>DHHS Administration</b>		
11			
12	<b>Division of Public Health</b>		
13			
14	09. Division of Public Health	65,000	65,000
15			
16	<b>TOTAL PREVENTIVE HEALTH</b>		
17	<b>SERVICES BLOCK GRANT</b>	<b>\$4,291,598</b>	<b>\$4,291,598</b>
18			<b><u>\$4,342,924</u></b>
19			
20	<b>COMMUNITY SERVICES BLOCK GRANT</b>		
21			
22	01. Community Action Agencies	\$24,170,204	<u>\$20,539,214</u>
23			<u>\$24,109,518</u>
24			
25	02. Discretionary Funding	921,096	<u>921,096</u> 723,194
26			
27	03. Office of Economic Opportunity	981,096	<u>981,096</u> 1,141,652
28			
29	04. Office of Economic Opportunity – Workforce		
30	Investment Opportunities Act (WIOA)	60,000	60,000
31			
32	<u>05. AR4CA Replacement Project</u>		<u>358,458</u>
33			
34	<b>TOTAL COMMUNITY SERVICES</b>		
35	<b>BLOCK GRANT</b>	<b>\$26,132,396</b>	<b>\$22,501,406</b>
36			<b><u>\$26,392,822</u></b>
37			
38	...		
39	<b>"TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) FUNDS</b>		
40	...		
41	<b>"SECTION 1.1.(h)</b> The sum of <del>nine million four hundred twelve thousand three hundred</del>		
42	<del>ninety-one dollars (\$9,412,391)</del> <b>twenty-one million five hundred fifty-nine thousand six hundred</b>		
43	<b>forty-five dollars (\$21,559,645)</b> appropriated in this act to the Department of Health and Human		
44	Services, Division of Social Services, in TANF funds for <del>each fiscal year of the 2019-2021</del>		
45	<u>2020-2021 fiscal biennium</u> year for child welfare improvements shall be allocated to the county		
46	departments of social services for hiring or contracting staff to investigate and provide services		
47	in Child Protective Services cases; to provide foster care and support services; to recruit, train,		
48	license, and support prospective foster and adoptive families; and to provide interstate and		
49	post-adoption services for eligible families.		
50	Counties shall maintain their level of expenditures in local funds for Child Protective		
51	Services workers. Of the Block Grant funds appropriated for Child Protective Services workers,		

1 the total expenditures from State and local funds for fiscal years 2019-2020 and 2020-2021 shall  
2 not be less than the total expended from State and local funds for the 2012-2013 fiscal year.

3 ...  
4 **"SOCIAL SERVICES BLOCK GRANT**

5 ...  
6 **"SECTION 1.1.(s)** The sum of ~~three million eight hundred twenty five thousand four~~  
7 ~~hundred forty three dollars (\$3,825,443)~~ for each fiscal year of the 2019-2021 fiscal biennium  
8 six million nine hundred seven thousand eight hundred fifty-four dollars (\$6,907,854) for the  
9 2020-2021 fiscal year appropriated in this act in the Social Services Block Grant to the  
10 Department of Health and Human Services, Divisions of Social Services and Aging and Adult  
11 Services, shall be used for guardianship services pursuant to Chapter 35A of the General Statutes.  
12 The Department may expend funds allocated in this section to support existing corporate  
13 guardianship contracts during the ~~2019-2020 and 2020-2021 fiscal years-year.~~

14 ...  
15 **"LOW-INCOME ENERGY ASSISTANCE BLOCK GRANT**

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

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

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

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

50 **"SECTION 1.1.(w1)** The Department of Health and Human Services shall develop and  
51 implement a centralized system to collect, track, analyze, monitor, and disseminate performance,

1 outputs, and outcome data for the Community Services Block Grant Program and the Department  
2 of Environmental Quality (DEQ) Weatherization Assistance Program to replace the current  
3 software solution, Accountable Results for Community Action (AR4CA). The project shall not  
4 proceed until the business case has been approved by the Office of State Budget and Management  
5 and the State Chief Information Officer in the Enterprise Project Management Office's  
6 Touchdown System. Upon approval, amounts not to exceed one hundred nineteen thousand four  
7 hundred eighty-six dollars (\$119,486) in Low Income Energy Assistance funds may be budgeted  
8 for transfer to Budget Code 24410 for information technology projects for the 2020-2021 fiscal  
9 year.

10 ...  
11 **"MENTAL HEALTH SERVICES BLOCK GRANT**

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

19 ...  
20 **"MATERNAL AND CHILD HEALTH BLOCK GRANT**

21 ...  
22 "SECTION 1.1.(dd) The sum of sixty-eight thousand two hundred forty-five dollars  
23 (\$68,245) eighty-one thousand six hundred twenty-two dollars (\$81,622) allocated in this section  
24 in the Maternal and Child Health Block Grant to the Department of Health and Human Services,  
25 Division of Public Health, Women and Children's Health Section, for each fiscal year of the  
26 2019-2021 fiscal biennium the 2020-2021 fiscal year shall not be used to supplant existing State  
27 or federal funds. This allocation shall be used for a Public Health Program Consultant position  
28 assigned full-time to manage the North Carolina Perinatal Health Strategic Plan and provide staff  
29 support for the stakeholder work group.

30 ...  
31 **"COMMUNITY SERVICES BLOCK GRANT**

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

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

38  
39 **PART III. PSYCHIATRIC PRIVILEGE EXEMPTION**

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

41 "(h) Nothing in this section shall be construed as to require a person with a privilege under  
42 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  
43 psychiatrist licensed under Article 1 of Chapter 90 of the General Statutes to report pursuant to  
44 this section if that privilege would prevent them from doing so."

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

46  
47 **PART IV. EFFECTIVE DATE**

48 **SECTION 4.1.** Except as otherwise provided, this act becomes effective October 1,  
49 2020.