

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 a
27 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

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 | FY 2019-2020 | FY 2020-2021 |
|---------------------------------------|---------------------|---------------------|

| | | | |
|----|--|--------------|-------------------|
| 1 | FAMILIES (TANF) FUNDS | | |
| 2 | | | |
| 3 | Local Program Expenditures | | |
| 4 | | | |
| 5 | Division of Social Services | | |
| 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 | <u>9,412,391</u> |
| 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 | Division of Child Development and Early Education | | |
| 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 | Division of Public Health | | |
| 38 | | | |
| 39 | 13. Teen Pregnancy Prevention Initiatives | 3,450,000 | 3,450,000 |
| 40 | | | |
| 41 | DHHS Administration | | |
| 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 | <u>711,349</u> |
| 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 | <u>93,216,874</u> |
| 4 | | | |
| 5 | Transfers to Other Block Grants | | |
| 6 | | | |
| 7 | Division of Child Development and Early Education | | |
| 8 | | | |
| 9 | 19. Transfer to the Child Care and | | |
| 10 | Development Fund | 21,773,001 | 21,773,001 |
| 11 | | | |
| 12 | Division of Social Services | | |
| 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 | TOTAL TEMPORARY ASSISTANCE FOR | | |
| 36 | NEEDY FAMILIES (TANF) FUNDS | \$312,392,996 | <u>\$310,435,701</u> |
| 37 | | | <u>\$323,304,698</u> |
| 38 | | | |
| 39 | TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) | | |
| 40 | EMERGENCY CONTINGENCY FUNDS | | |
| 41 | | | |
| 42 | Local Program Expenditures | | |
| 43 | | | |
| 44 | Division of Child Development and Early Education | | |
| 45 | | | |
| 46 | 01. Subsidized Child Care | \$33,439,988 | <u>\$33,439,988</u> |
| 47 | | | <u>\$34,818,946</u> |
| 48 | | | |
| 49 | TOTAL TEMPORARY ASSISTANCE FOR | | |
| 50 | NEEDY FAMILIES (TANF) EMERGENCY | | |
| 51 | CONTINGENCY FUNDS | \$33,439,988 | <u>\$33,439,988</u> |

\$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 | 462,600 762,600 |
| 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 | 1,802,671 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 | Division of Mental Health, Developmental Disabilities, and Substance Abuse Services | | |
| 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 | DHHS Program Expenditures | | |
| 11 | | | |
| 12 | Division of Services for the Blind | | |
| 13 | | | |
| 14 | 18. Independent Living Program | 3,603,793 | 3,603,793 |
| 15 | | | |
| 16 | Division of Health Service Regulation | | |
| 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 | Division of Aging and Adult Services | | |
| 24 | | | |
| 25 | 21. Guardianship | 3,825,443 | 3,825,443 |
| 26 | | | |
| 27 | DHHS Administration | | |
| 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 | TOTAL SOCIAL SERVICES BLOCK GRANT | \$74,055,372 | \$74,055,372 |
| 46 | | | <u>\$75,635,112</u> |
| 47 | | | |
| 48 | LOW-INCOME ENERGY ASSISTANCE BLOCK GRANT | | |
| 49 | | | |
| 50 | Local Program Expenditures | | |
| 51 | | | |

| | | | |
|----|---|--------------|-----------------------------------|
| 1 | Division of Social Services | | |
| 2 | | | |
| 3 | 01. Low-Income Energy Assistance | | |
| 4 | Program (LIEAP) | \$40,298,638 | \$40,298,638 |
| 5 | | | <u>\$40,950,767</u> |
| 6 | | | |
| 7 | 02. Crisis Intervention Program (CIP) | 40,298,638 | 40,298,638 |
| 8 | | | <u>40,950,767</u> |
| 9 | | | |
| 10 | Local Administration | | |
| 11 | | | |
| 12 | Division of Social Services | | |
| 13 | | | |
| 14 | 03. County DSS Administration | 6,618,366 | 6,618,366 |
| 15 | | | <u>6,725,467</u> |
| 16 | | | |
| 17 | DHHS Administration | | |
| 18 | | | |
| 19 | Division of Central Management and Support | | |
| 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 | 2,287,188 |
| 32 | | | <u>581,123</u> |
| 33 | | | |
| 34 | 08. NC FAST Operations and Maintenance | 2,539,033 | 2,539,033 |
| 35 | | | <u>2,335,226</u> |
| 36 | | | |
| 37 | Transfers to Other State Agencies | | |
| 38 | | | |
| 39 | Department of Environmental Quality | | |
| 40 | | | |
| 41 | 09. Weatherization Program | 8,692,641 | 8,552,641 |
| 42 | | | <u>9,493,643</u> |
| 43 | | | |
| 44 | 10. Heating Air Repair and Replacement | | |
| 45 | Program (HARRP) | 5,881,761 | 5,701,761 |
| 46 | | | <u>6,171,429</u> |
| 47 | | | |
| 48 | 11. Local Residential Energy Efficiency Service | | |
| 49 | Providers – Weatherization | 544,742 | 514,742 <u>573,072</u> |
| 50 | | | |
| 51 | 12. Local Residential Energy Efficiency Service | | |

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

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|---|--|----------------------|----------------------|
| 1 | 09. NC FAST Operations and Maintenance | 1,104,504 | <u>1,201,697</u> |
| 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 | <u>7,346,350,000</u> |
| 8 | | | |
| 9 | Division of Public Health | | |
| 10 | | | |
| 11 | 12. Child Care Health Consultation Contracts | 62,205 | 62,205 |
| 12 | | | |
| 13 | TOTAL CHILD CARE AND DEVELOPMENT | | |
| 14 | FUND BLOCK GRANT | \$395,525,572 | \$354,547,850 |
| 15 | | | |
| 16 | MENTAL HEALTH SERVICES BLOCK GRANT | | |
| 17 | | | |
| 18 | Local Program Expenditures | | |
| 19 | | | |
| 20 | 01. Mental Health Services – Child | \$4,779,087 | \$4,779,087 |
| 21 | | | |
| 22 | 02. Mental Health Services – Adult/Child | 18,531,361 | <u>18,531,360</u> |
| 23 | | | <u>19,295,850</u> |
| 24 | | | |
| 25 | 03. Mental Health Services – First | | |
| 26 | Psychotic Symptom Treatment | 1,976,970 | <u>1,976,970</u> |
| 27 | | | <u>3,367,375</u> |
| 28 | | | |
| 29 | DHHS Administration | | |
| 30 | | | |
| 31 | Division of Mental Health, Developmental Disabilities, and Substance Abuse Services | | |
| 32 | | | |
| 33 | 04. Administration | 200,000 | 200,000 |
| 34 | | | |
| 35 | TOTAL MENTAL HEALTH SERVICES | | |
| 36 | BLOCK GRANT | \$25,487,418 | \$25,487,417 |
| 37 | | | <u>\$27,642,312</u> |
| 38 | | | |
| 39 | SUBSTANCE ABUSE PREVENTION AND TREATMENT BLOCK GRANT | | |
| 40 | | | |
| 41 | Local Program Expenditures | | |
| 42 | | | |
| 43 | Division of Mental Health, Developmental Disabilities, and Substance Abuse Services | | |
| 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 | | |

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| | | | |
|----|--|---------------------|----------------------------|
| 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 | DHHS Program Expenditures | | |
| 12 | | | |
| 13 | Division of Central Management and Support | | |
| 14 | | | |
| 15 | 07. Competitive Grants | 1,600,000 | 1,600,000 |
| 16 | | | |
| 17 | DHHS Administration | | |
| 18 | | | |
| 19 | Division of Mental Health, Developmental Disabilities, and Substance Abuse Services | | |
| 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 | Division of Public Health | | |
| 29 | | | |
| 30 | 11. HIV Testing for Individuals in Substance | | |
| 31 | Abuse Treatment | 1,300,000 | 0 |
| 32 | | | |
| 33 | TOTAL SUBSTANCE ABUSE PREVENTION | | |
| 34 | AND TREATMENT BLOCK GRANT | \$45,951,556 | <u>\$44,998,815</u> |
| 35 | | | <u>\$46,898,769</u> |
| 36 | | | |
| 37 | MATERNAL AND CHILD HEALTH BLOCK GRANT | | |
| 38 | | | |
| 39 | Local Program Expenditures | | |
| 40 | | | |
| 41 | Division of Public Health | | |
| 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 | <u>\$14,719,224</u> |
| 2 | | | <u>\$15,892,309</u> |
| 3 | | | |
| 4 | 02. Oral Health | 48,227 | <u>48,227</u> |
| 5 | | | |
| 6 | 03. Evidence-Based Programs in Counties | | |
| 7 | With Highest Infant Mortality Rates | 1,575,000 | 1,575,000 |
| 8 | | | |
| 9 | DHHS Program Expenditures | | |
| 10 | | | |
| 11 | 04. Children's Health Services | 1,427,323 | <u>1,427,323</u> |
| 12 | | | <u>1,477,119</u> |
| 13 | | | |
| 14 | 05. Women's Health – Maternal Health | 169,864 | <u>169,864</u> |
| 15 | | | <u>174,727</u> |
| 16 | 06. Women and Children's Health – Perinatal | | |
| 17 | Strategic Plan Support Position | 68,245 | <u>68,245</u> |
| 18 | | | <u>81,622</u> |
| 19 | 07. State Center for Health Statistics | 158,583 | <u>158,583</u> |
| 20 | | | <u>160,965</u> |
| 21 | 08. Health Promotion – Injury and | | |
| 22 | Violence Prevention | 87,271 | <u>87,271</u> |
| 23 | | | <u>91,082</u> |
| 24 | DHHS Administration | | |
| 25 | | | |
| 26 | 09. Division of Public Health Administration | 552,571 | <u>552,571</u> |
| 27 | | | <u>604,248</u> |
| 28 | TOTAL MATERNAL AND CHILD | | |
| 29 | HEALTH BLOCK GRANT | \$18,806,308 | \$18,806,308 |
| 30 | | | <u>\$20,111,287</u> |
| 31 | | | |
| 32 | PREVENTIVE HEALTH SERVICES BLOCK GRANT | | |
| 33 | | | |
| 34 | Local Program Expenditures | | |
| 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 | DHHS Program Expenditures | | |
| 42 | | | |
| 43 | Division of Public Health | | |
| 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 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.~~
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 (wl) 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.