

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



* S 1 6 8 - P C C S 4 5 5 0 8 - L U - 2 *

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."

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	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	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	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	711,349
49			<u>1,045,775</u>
50			
51	17. NC FAST Implementation	1,817,362	0 <u>396,659</u>

1			
2	18. Division of Social Services – Workforce		
3	Innovation & Opportunity Act (WIOA)	93,216	<u>93,216</u> <u>83,874</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>

1			<u>\$34,818,946</u>
2			
3	SOCIAL SERVICES BLOCK GRANT		
4			
5	Local Program Expenditures		
6			
7	Divisions of Social Services and Aging and Adult Services		
8			
9	01. County Departments of Social Services	\$19,905,849	\$19,905,849
10			
11	02. County Departments of Social Services		
12	(Transfer From TANF)	13,097,783	13,097,783
13			
14	03. EBCI Tribal Public Health and Human Services	244,740	244,740
15			
16	04. Child Protective Services		
17	(Transfer From TANF)	5,040,000	5,040,000
18			
19	05. State In-Home Services Fund	1,943,950	1,943,950
20			
21	06. Adult Protective Services	2,138,404	2,138,404
22			
23	07. State Adult Day Care Fund	1,994,084	1,994,084
24			
25	08. Child Protective Services/CPS		
26	Investigative Services – Child Medical		
27	Evaluation Program	901,868	901,868
28			
29	09. Special Children Adoption Incentive Fund	462,600	462,600 762,600
30			
31	10. Child Protective Services – Child		
32	Welfare Training for Counties		
33	(Transfer From TANF)	1,300,000	1,300,000
34			
35	11. Child Protective Services – Child		
36	Welfare Training for Counties		
37	(Transfer From TANF)	737,067	737,067
38			
39	12. Home and Community Care Block		
40	Grant (HCCBG)	2,696,888	2,696,888
41			
42	13. Child Advocacy Centers		
43	(Transfer from TANF \$1,582,000)	1,582,000	1,582,000
44			
45	14. Guardianship – Division of Social Services	1,802,671	1,802,671 3,082,411
46			
47	15. Foster Care Services		
48	(Transfer From TANF)	1,385,152	1,385,152
49			
50	Division of Central Management and Support		
51			

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
Program (LIEAP)

\$40,298,638

~~\$40,298,638~~\$40,950,767

5

6

02. Crisis Intervention Program (CIP)

40,298,638

~~40,298,638~~40,950,767

8

9

10 **Local Administration**

11

12 **Division of Social Services**

13

03. County DSS Administration

6,618,366

~~6,618,366~~6,725,467

15

16

17 **DHHS Administration**

18

19 **Division of Central Management and Support**

20

04. Division of Social Services

10,000

10,000

22

04A. AR4CA Replacement Project119,486

24

04B. Winter Heating Program Outreach100,000

26

05. Office of the Secretary/DIRM

128,954

128,954

28

06. Office of the Secretary/Controller's Office

18,378

18,378

30

07. NC FAST Development

2,287,188

~~2,287,188~~581,123

32

33

08. NC FAST Operations and Maintenance

2,539,033

~~2,539,033~~2,335,226

35

36

37 **Transfers to Other State Agencies**

38

39 **Department of Environmental Quality**

40

09. Weatherization Program

8,692,641

~~8,552,641~~9,493,643

42

43

10. Heating Air Repair and Replacement
Program (HARRP)

5,881,761

~~5,701,761~~6,171,429

46

47

11. Local Residential Energy Efficiency Service
Providers – Weatherization

544,742

~~514,742~~573,072

49

50

12. Local Residential Energy Efficiency Service

51

1	Providers – HARRP	327,169	277,169 <u>351,654</u>
2			
3	13. DEQ – Weatherization Administration	544,742	514,742 <u>623,072</u>
4			
5	14. DEQ – HARRP Administration	277,169	277,169 <u>381,654</u>
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 <u>5,000</u>
47			
48	Division of Central Management and Support		
49			
50	08. NC FAST Development	464,290	0 <u>100,880</u>
51			

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		

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;		

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	<u>48,227</u> 54,215
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> 174,727
15			
16	06. Women and Children's Health – Perinatal		
17	Strategic Plan Support Position	68,245	<u>68,245</u> 81,622
18			
19	07. State Center for Health Statistics	158,583	<u>158,583</u> 160,965
20			
21	08. Health Promotion – Injury and		
22	Violence Prevention	87,271	<u>87,271</u> 91,082
23			
24	DHHS Administration		
25			
26	09. Division of Public Health Administration	552,571	<u>552,571</u> 604,248
27			
28	TOTAL MATERNAL AND CHILD		
29	HEALTH BLOCK GRANT	\$18,806,308	<u>\$18,806,308</u>
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

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06. Injury and Violence Prevention (Services to Rape Victims – Set-Aside)	53,206	53,206
07. Performance Improvement and Accountability	592,123	<u>592,123</u> <u>643,449</u>
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	<u>\$20,539,214</u> <u>\$24,109,518</u>
02. Discretionary Funding	921,096	<u>921,096</u> <u>723,194</u>
03. Office of Economic Opportunity	981,096	<u>981,096</u> <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>

...
"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,

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.

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.

47 **PART IV. EFFECTIVE DATE**

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