

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40358-NBa-155

Short Title: Foster Parent Ombudsman.

(Public)

Sponsors: Representative Torbett.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH THE FOSTER PARENT OMBUDSMAN OFFICE WITHIN THE
3 DEPARTMENT OF HEALTH AND HUMAN SERVICES.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Article 3 of Chapter 143B of the General Statutes is amended by adding
6 a new Part to read:

7 "Part 6A. Foster Parent Ombudsman Office.

8 "§ 143B-157.1. Foster Parent Ombudsman.

9 (a) There is hereby established the Foster Parent Ombudsman within the Department of
10 Health and Human Services. The Office shall report directly to the Secretary of Health and
11 Human Services and is empowered to assist foster parents with issues and resolve conflicts
12 related to the licensing of family and therapeutic foster homes, the placement of children in foster
13 care, adoption procedures, and other related matters. The Office shall advocate on behalf of foster
14 parents in this State and support their rights to ensure their voices are heard and concerns are
15 addressed. The Secretary of Health and Human Services shall select a person who is qualified
16 with unique experience in foster care State and federal laws and rules to serve as the Ombuds.
17 The Office shall coordinate with all State and federal agencies, including the Department of
18 Health and Human Services, the Social Services Commission, and local county departments of
19 social services, to effectuate the purpose of the Office as described in this Part.

20 (b) The Office shall also perform the following duties:

- 21 (1) Disseminate and advertise information to foster parents on the rights of foster
22 parents in this State, and seek to educate foster parents about State and federal
23 laws and rules applicable to their situation.
24 (2) Investigate and attempt to resolve hindrances and issues for families or
25 individuals seeking approval for licensure as a family foster home or
26 therapeutic foster home and current foster parents navigating compliance with
27 existing State and federal laws and rules.
28 (3) Assist foster parents with waiver applications for licensure, if applicable.
29 (4) Offer classes or instructional videos to foster parents to assist in the licensure
30 process.
31 (5) Identify resources for foster parents seeking licensure approval, modification
32 of foster homes, or other support resources.
33 (6) Gather and review all relevant information when receiving a complaint or
34 inquiry.
35 (7) Formulate a process for mediation between parties.



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1 (c) In exercising duties under this Part, the Office shall operate in a neutral manner and
2 complete comprehensive, unbiased views of matters using all relevant information to make
3 recommendations for action, if necessary.

4 (d) All communication between the Office and prospective foster parents or individuals
5 seeking assistance from the Office shall be confidential and shall not be considered public records
6 under Chapter 132 of the General Statutes.

7 (e) By October 1 of each year, the Office shall compile data and submit it to the
8 Department of Health and Human Services detailing the number of inquiries and complaints
9 handled by the Office and trends in recurring issues for foster parents and local county
10 departments of social services. Any information contained in the report shall not be able to be
11 used to identify any individual or foster parent. The Department shall use the data to submit a
12 report to the Joint Legislative Oversight Committee on Health and Human Services no later than
13 November 1 of each year."

14 **SECTION 2.** There is appropriated the recurring sum of one hundred thirty-seven
15 thousand dollars (\$137,000) for the 2023-2024 fiscal year and one hundred forty-five thousand
16 dollars (\$145,000) for the 2024-2025 fiscal year to the Department of Health and Human Services
17 to establish the Foster Parent Ombudsman Office and hire one full-time equivalent employee.

18 **SECTION 3.** The Department of Health and Human Services shall have the Office
19 operational by January 1, 2024, and shall engage in appropriate rulemaking to implement the
20 provisions of this act.

21 **SECTION 4.** Section 1 and Section 2 of this act become effective July 1, 2023. The
22 remainder of this act is effective when it becomes law.