

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

H.B. 150  
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30059-NG-38

Short Title: School Contracted Health Services.

(Public)

Sponsors: Representative Bradford.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO ALLOW CHILDREN WITH DISABILITIES WHO RECEIVED SERVICES  
3 PRIOR TO ENROLLING IN A LOCAL EDUCATIONAL AGENCY THE  
4 OPPORTUNITY TO CONTINUE RECEIVING THOSE SERVICES FROM THE SAME  
5 PROVIDER WHILE AT SCHOOL.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 115C-111.2 reads as rewritten:

8 "**§ 115C-111.2. Contracts with private service providers.**

9 Local educational agencies furnishing special education and related services to children with  
10 disabilities may contract with private special education facilities or service providers to furnish  
11 any of these services that the public providers are unable to furnish. Local educational agencies  
12 shall afford the opportunity for service providers to contract with the agency outside of the  
13 contracting request for proposal (RFP) period if all of the following apply:

- 14 (1) The provider provides services to a student who attends or will attend a school  
15 within the local educational agency.  
16 (2) The services provided to the student are required by an IEP.  
17 (3) The provider meets all licensing criteria required for any other provider  
18 contracted by the local educational agency.  
19 (4) The contracted rate is equal to or less than the contracted rate of other  
20 providers contracted by the local educational agency."

21 **SECTION 2.** G.S. 115C-111.6 reads as rewritten:

22 "**§ 115C-111.6. Obligation to provide services for preschool children with disabilities.**

23 State funds appropriated to the public schools to implement preschool services for children  
24 with disabilities under this Article and IDEA shall be used to provide special education and  
25 related services to preschool children with disabilities. These State funds shall be used to  
26 supplement and not supplant existing federal, State, and local funding for the public schools.

27 Preschool children with disabilities will continue to be served by all other State funds to  
28 which they are otherwise entitled. If a child received services from a licensed provider prior to  
29 enrolling in a preschool program, the preschool program shall make all reasonable  
30 accommodations for the child to continue receiving those services from that provider while  
31 enrolled in the program so long as the provider meets the criteria set out in G.S. 115C-111.2."

32 **SECTION 3.** This act is effective when it becomes law and applies beginning with  
33 the 2023-2024 school year.

