

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

H.B. 165
Feb 21, 2025
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30076-NBa-40

Short Title: Child and Family Welfare Ombudsman Office. (Public)

Sponsors: Representative Torbett.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH THE CHILD AND FAMILY WELFARE OMBUDSMAN OFFICE
3 WITHIN THE 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. Child and Family Welfare Ombudsman Office.

8 "§ 143B-156.1. Child and Family Welfare Ombudsman Office.

9 (a) Establishment. – There is hereby established the Child and Family Welfare
10 Ombudsman Office within the Department of Health and Human Services. The Office shall
11 report directly to the Secretary of Health and Human Services. The Office shall focus on youth,
12 birth families, and resource parents that are directly involved in the North Carolina child welfare
13 system, including (i) assisting foster parents with issues, (ii) resolving conflicts related to the
14 licensing of family and therapeutic foster homes, (iii) placing children in foster care and assisting
15 in adoption procedures, and (iv) providing support and information to assist the foster care
16 process, and (v) other related matters. The Office shall advocate on behalf of these populations
17 in this State and support their rights to ensure their voices are heard and concerns are addressed.
18 The Secretary shall select a person who is qualified with unique or lived experience, with a
19 familiarity with State and federal laws and rules regarding foster care to serve as the Ombuds.
20 Any additional staff shall also have work or lived experience in the foster care space. The Office
21 shall coordinate with all State and federal agencies, including the Department of Health and
22 Human Services, the Social Services Commission, and local county departments of social
23 services, to effectuate the purpose of the Office as described in this Part.

24 (b) Powers and Duties. – The Office shall also have the following powers and duties:

- 25 (1) Gather information through interviews and directly access case information
26 within court and State databases.
27 (2) Disseminate and advertise information to resource parents on the rights of
28 resource parents in this State and seek to educate resource parents about State
29 and federal laws and rules applicable to their situation.
30 (3) Investigate and attempt to resolve hindrances and issues for families or
31 individuals seeking approval for licensure as a family foster home or
32 therapeutic foster home and current resource parents navigating compliance
33 with existing State and federal laws and rules.
34 (4) Assist resource parents with waiver applications for licensure, if applicable.
35 (5) Offer classes or instructional videos to resource parents to assist in the
36 licensure process.



- 1 (6) Identify resources for resource parents seeking licensure approval,
2 modification of foster homes, or other support resources.
3 (7) Gather and review all relevant information when receiving a complaint or
4 inquiry.
5 (8) Formulate a process for mediation between parties.
6 (9) Work with all local county departments of social services to provide outreach
7 information to youth, families, and resource parents.

8 (c) Neutrality. – In exercising duties under this Part, the Office shall operate in a neutral
9 manner and complete comprehensive, unbiased views of matters using all relevant information
10 to make recommendations for action, if necessary. The Office shall prioritize and determine the
11 Office's scope of work and focus internally, without the interference of any other agency. The
12 Office shall develop and maintain a credible review process for all casework undertaken.

13 (d) Confidentiality. – All communication between the Office and prospective resource
14 parents or individuals seeking assistance from the Office shall be confidential and shall not be
15 considered public records under Chapter 132 of the General Statutes.

16 (e) Whistleblower Protection. – It is the policy of this State that persons in the foster care
17 system have the right to report violations of law or ethical concerns to the Office for the protection
18 of the public. Therefore, no person, firm, corporation, or unincorporated association, or a
19 stakeholder, may subject a person to adverse action, termination, demotion, compensation
20 reduction, or hostile work environment for reporting a violation of law or ethical concerns to the
21 Office. The Office shall conduct a review of every report and determine the correct action to take
22 to protect the whistleblower depending on the circumstances of each report, including referring
23 the report to the proper law enforcement agency or the Office of the Attorney General for review.

24 (f) Reporting. – By October 1 of each year, the Office shall compile data and submit it
25 to the Office of the Governor and the Department of Health and Human Services detailing the
26 number of inquiries and complaints handled by the Office and trends in recurring issues for
27 resource parents and local county departments of social services, including quantitative and
28 qualitative data. The Office shall make all reports available on their public website. Any
29 information contained in the report shall not be able to be used to identify any individual or
30 resource parent. The Office shall use the data to submit a report to the Joint Legislative Oversight
31 Committee on Health and Human Services no later than November 1 of each year."

32 **SECTION 2.** There is appropriated the recurring sum of one hundred thirty-seven
33 thousand dollars (\$137,000) for the 2025-2026 fiscal year and one hundred forty-five thousand
34 dollars (\$145,000) for the 2026-2027 fiscal year to the Department of Health and Human Services
35 to establish the Child and Family Welfare Ombudsman Office and hire one full-time equivalent
36 employee.

37 **SECTION 3.** The Department of Health and Human Services shall have the Office
38 operational by January 1, 2026, and shall engage in appropriate rulemaking to implement the
39 provisions of this act.

40 **SECTION 4.** Section 1 and Section 2 of this act become effective July 1, 2025. The
41 remainder of this act is effective when it becomes law.