

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40694-NBa-171

Short Title: Dominique Moody Safety Act. (Public)

Sponsors: Representative Cunningham.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE VARIOUS CHANGES TO THE LAWS REGARDING ABUSE,
3 NEGLECT, AND DEPENDENCY CASES FOR JUVENILES.
4 The General Assembly of North Carolina enacts:

5
6 **PART I. CHILD WELFARE CASE ESCALATION TEAM**

7 **SECTION 1.(a)** Article 1 of Chapter 108A of the General Statutes is amended by
8 adding a new Part to read:

9 "Part 2C. Child Welfare Case Escalation Team.

10 **"§ 108A-15.25. Child Welfare Case Escalation Team.**

11 (a) Child Welfare Case Escalation Team. – The Division shall maintain a team of
12 representatives for each regional social services department that conducts escalation assessments,
13 consistent with this section, of juveniles that have a history of child protective services attention
14 due to a combination of safety and risk factors. The purpose of the team is to do all of the
15 following:

- 16 (1) Support county departments of social services.
17 (2) Provide an additional level of review to ensure child safety statewide.
18 (3) Provide quality assurance of the child protective services history of a family
19 who has returned to the attention of child protective services, including
20 assessing the quality of prior service intervention and further decisions of
21 services provided to ensure the safety and well-being of juveniles moving
22 forward with the family.

23 (b) Staff. – The team is staffed by the Division, including the assigned manager and
24 escalation specialists. The team shall collaborate and coordinate with (i) the director of the
25 regional social services department, (ii) the director of the county department of social services
26 where the juvenile subject to the escalation notification form resides, and (iii) local law
27 enforcement.

28 **"§ 108A-15.26. Definitions.**

29 The following definitions apply in this Part:

- 30 (1) Caretaker. – As defined in G.S. 7B-101.
31 (2) Division. – The Division of Social Services of the Department of Health and
32 Human Services.
33 (3) Extensive child welfare history. – Any one or more of the following:
34 a. Involvement of a medically complex juvenile who requires
35 subspecialty care by two or more specialties.



- 1 b. Receipt of a second report for medical neglect within six months of
2 the current report.
- 3 c. Involvement of a juvenile that requires devices to sustain their
4 function, such as a tracheostomy or gastric tube, who has had three or
5 more prior cases for concerns of medical neglect.
- 6 d. Families with five or more child protective services cases with
7 concerns for neglect regardless of case decision or families that have
8 three or more cases, if any of those cases involved concerns for abuse.
- 9 e. Families that have three or more prior child protective services reports
10 with concerns for domestic violence or active or current drug activity.
- 11 f. Any report on an active temporary safety provider or kinship care
12 provider.
- 13 g. Cases in which there exists a previous child protective services history
14 with the family and involves a near fatality of a juvenile.
- 15 h. Any case that has had a prior history involving a child fatality as a
16 result of concerns for abuse or neglect and there is a new child in the
17 residence.
- 18 i. Multiple prior involvements with child welfare services, including
19 in-home services or permanency planning.
- 20 (4) Juvenile. – As defined in G.S. 7B-101.
- 21 (5) Near fatality. – As defined in G.S. 7B-2902.
- 22 (6) Team. – The Child Welfare Case Escalation Team.

23 **"§ 108A-15.27. Criteria for team involvement.**

24 (a) Criteria. – The director of the county department of social services shall proceed
25 through the process for notification of the Child Welfare Case Escalation Team under subsection
26 (b) of this section if a county department of social services receives a report of abuse or neglect
27 to screen under Article 3 of Subchapter I of Chapter 7B of the General Statutes that meets any of
28 the following criteria:

- 29 (1) Extensive child welfare history.
- 30 (2) Three or more reports within a 12-month period involving the same or similar
31 allegations that were screened out that indicate a pattern of concern despite
32 prior screening decisions.
- 33 (3) History of prior removal and placement into foster care, such as previous
34 removal of juveniles from the home due to similar or identical allegations.
- 35 (4) Three or more substantiated findings involving the family that demonstrate a
36 pattern consistent with chronic or habitual neglect.
- 37 (5) Ongoing medical or mental health neglect, such as repeated reports indicating
38 failure to address juveniles' medical or mental health needs with allegations
39 consistent across multiple reports and time frames.

40 (b) Notification. – If a child welfare case meets the criteria of subsection (a) of this
41 section, the receiving county department of social services shall complete an escalation
42 notification form within two business days and return via email or automated process to the
43 escalation team.

44 (c) Information Sharing. – The assigned escalation specialist shall coordinate with the
45 county department of social services to obtain access to the entirety of the case record to address
46 immediate safety of the juvenile. Upon request, the county department of social services shall
47 provide any records in their possession related to the juvenile's case and identified in the
48 escalation notification form. Pursuant to G.S. 7B-302, the escalation specialist may also demand,
49 in writing, records in possession of State or local law enforcement.

50 **"§ 108A-15.28. Team assessment.**

1 (a) Assessment. – Once the escalation specialist receives all pertinent information and
2 records from the county department of social services under G.S. 108A-15.27, the escalation
3 specialist shall do all of the following:

4 (1) Assess child welfare history, including all reports and findings, interviews
5 conducted and collateral interviews, safety plans developed for the juvenile,
6 and services provided to the family.

7 (2) Identify gaps in services and other areas that impact safety of the juvenile.

8 (3) Review the overall safety planning for the juvenile in the current assessment
9 to determine if there are additional steps required to ensure safety.

10 (4) Create a chronological time line of child protective services intervention to
11 understand the maltreatment factors of concern related to the family to aid in
12 decision making.

13 (b) Collaboration. – The escalation specialist assigned to the case and other team
14 members shall provide necessary technical assistance to the county department of social services
15 throughout the assessment phase of the child protective services case to identify any patterns or
16 contributory factors from past history that may impact a caretaker's ability to assess and control
17 for present danger threats. The escalation specialist shall do all of the following in collaboration
18 with the county department of social services:

19 (1) Be involved in determining the case decision and in identifying services
20 needed for incorporation into the family case plan, taking into account the
21 family's history and interventions identified in the chronological time line.

22 (2) Guide current intervention steps and improve practice, any practice concerns
23 from child protective services involvement, and discuss that involvement with
24 the county director of social services.

25 (c) Response. – The county department of social services shall respond to all unaddressed
26 safety concerns identified through the team's review process immediately or within the same day
27 of notification.

28 (d) Review. – The team and other assigned and Division and Department of Health and
29 Human Services staff shall review records to ensure that practices that have deficiencies are
30 corrected and there is communication with county department staff and others to improve child
31 welfare practice at all levels across the county departments of social services."

32 **SECTION 1.(b)** There is appropriated from the General Fund to the Department of
33 Health and Human Services, Division of Social Services (Division), the sum of five hundred fifty
34 thousand dollars (\$550,000) in recurring funds beginning in the 2026-2027 fiscal year, in addition
35 to one hundred fifty-seven thousand dollars (\$157,000) in federal receipts beginning in the
36 2026-2027 fiscal year, for six full-time equivalent positions to staff and implement the Child
37 Welfare Case Escalation Team, as established in this section. These full-time equivalent positions
38 shall include human services program consultants and one human services program manager.

39 **SECTION 1.(c)** The Department of Health and Human Services, Division of Social
40 Services, shall explore means and resources needed to automate and reduce the burden on the
41 county workforce to alert the Division of escalation reviews as established under this section.
42 When exploring these options, the Division shall consider using the Partnership and Technology
43 Hub for North Carolina to make an automated process for those reviews.

44 **SECTION 1.(d)** The Division shall amend protocols and rules as necessary to
45 integrate Child Welfare Case Escalation Team involvement into the entry of a private residence,
46 as provided for under G.S. 7B-302(h), as amended by this act, to ensure seamless and coordinated
47 assistance for high-risk juveniles at risk of abuse or neglect.

48
49 **PART II. CPS EMPLOYEE ASSESSMENT HOME VISIT AND RECORD**
50 **MODIFICATIONS**

1 **SECTION 2.(a)** The Department of Health and Human Services, Division of Social
2 Services, shall adopt rules to amend Subchapter 70A of the North Carolina Administrative Code
3 and update associated Division policies, Child Protective Services Assessments Policy, Protocol,
4 and Guidance, and the Partnership and Technology Hub for North Carolina to require directors
5 of departments of social services to require photographs or video evidence be gathered during an
6 initial investigative assessment response or initial family assessment response if evidence tends
7 to show a juvenile subject to the assessment has been alleged to be abused or neglected, consistent
8 with the requirements of Article 3 of Subchapter I of Chapter 7B of the General Statutes.

9 **SECTION 2.(b)** G.S. 7B-302 reads as rewritten:

10 **"§ 7B-302. Assessment by director; military affiliation; access to confidential information;
11 notification of person making the report.**

12 ...

13 (e) In performing any duties related to the assessment of the report or the provision or
14 arrangement for protective services, the director may consult with any public or private agencies
15 or individuals, including the available State or local law enforcement officers who shall assist in
16 the assessment and evaluation of the seriousness of any report of abuse, neglect, or dependency
17 when requested by the director. The director or the director's representative may make a written
18 demand for any information or reports, whether or not confidential, that may in the director's
19 opinion be relevant to the assessment or provision of protective services. Upon the director's or
20 the director's representative's request and unless protected by the attorney-client privilege, any
21 public or private agency or individual shall provide access to and copies of this confidential
22 information and these records to the extent permitted by federal law and regulations. If a
23 custodian of criminal investigative information or records believes that release of the information
24 will jeopardize the right of the State to prosecute a defendant or the right of a defendant to receive
25 a fair trial or will undermine an ongoing or future investigation, it may seek an order from a court
26 of competent jurisdiction to prevent disclosure of the information. In such an action, the custodian
27 of the records shall have the burden of showing by a preponderance of the ~~evidence~~evidence, or
28 clear and convincing evidence if the request is from the Child Welfare Case Escalation Team
29 pursuant to a written demand under G.S. 108A-15.27(c), that disclosure of the information in
30 question will jeopardize the right of the State to prosecute a defendant or the right of a defendant
31 to receive a fair trial or will undermine an ongoing or future investigation. Actions brought
32 pursuant to this paragraph shall be set down for immediate hearing, and subsequent proceedings
33 in the actions shall be accorded priority by the trial and appellate courts.

34 ...

35 (h) The director or the director's representative may not enter a private residence for
36 assessment purposes without at least one of the following:

- 37 (1) The reasonable belief that a juvenile is in imminent danger of death or serious
38 physical injury.
- 39 (2) The permission of the parent or person responsible for the juvenile's care.
- 40 (3) The accompaniment of a law enforcement officer who has legal authority to
41 enter the residence.
- 42 (4) An order from a court of competent jurisdiction.
- 43 (5) If the report alleges suspected abuse or neglect of a high-risk juvenile and the
44 Child Welfare Case Escalation Team has been activated and is assisting the
45 county department of social services conducting the assessment at the
46 juvenile's residence."

47 48 **PART III. RECOGNITION OF CHILD ABUSE AND NEGLECT TRAINING**

49 **SECTION 3.** There is appropriated from the General Fund to the Department of
50 Health and Human Services, Division of Social Services, the sum of one hundred thousand
51 dollars (\$100,000) in nonrecurring funds for the 2026-2027 fiscal year for training for child

1 protective services employees and social workers employed by county departments of social
2 services to recognize abuse and neglect. Once developed, the Division shall ensure that this
3 training is virtually available for future trainings and continuing education for those employees
4 that need it. The Division shall prioritize training specialists, prior to dissemination to the entirety
5 of social workers statewide.

6
7 **PART IV. EFFECTIVE DATE**

8 **SECTION 4.** Sections 1(b) and 3 of this act become effective July 1, 2026. Section
9 1(c) of this act is effective when it becomes law. The remainder of this act becomes effective
10 October 1, 2026.