

**2017**

**HOUSE  
HOMELESSNESS,  
FOSTER CARE &  
DEPENDENCY**

**MINUTES**



**HOMELESSNESS, FOSTER CARE, AND DEPENDENCY**

<b><u>MEMBER</u></b>	<b><u>ASSISTANT</u></b>	<b><u>PHONE</u></b>	<b><u>OFFICE</u></b>	<b><u>SEAT</u></b>
<b>Rep. Jonathan Jordan Chair</b>	<b>Emma Benson Clerk</b>	<b>733-7727</b>	<b>420 LOB</b>	<b>42</b>
<b>Rep. Evelyn Terry Vice Chair</b>	<b>Franklin Terry</b>	<b>733-5777</b>	<b>1015 LB</b>	<b>80</b>
<b>Rep. John Autry</b>	<b>Tina Riley-Humphrey</b>	<b>715-0706</b>	<b>1019 LB</b>	<b>115</b>
<b>Rep. MaryAnn Black</b>	<b>Chandler Spaulding</b>	<b>733-5872</b>	<b>501 LOB</b>	<b>107</b>
<b>Rep. Beverly Boswell</b>	<b>Beth Strandberg</b>	<b>733-5906</b>	<b>531 LOB</b>	<b>97</b>
<b>Rep. Bill Brawley</b>	<b>Lynn Taylor</b>	<b>733-5800</b>	<b>534 LOB</b>	<b>19</b>
<b>Rep. Mike Clampitt</b>	<b>Ed Stiles</b>	<b>715-3005</b>	<b>1420 LB</b>	<b>113</b>
<b>Rep. Rosa Gill</b>	<b>Lisa Ray</b>	<b>733-5880</b>	<b>1303 LB</b>	<b>45</b>
<b>Rep. George Graham</b>	<b>Beverlee Baker</b>	<b>733-5995</b>	<b>1321 LB</b>	<b>79</b>
<b>Rep. Kyle Hall</b>	<b>Cameron Dawson</b>	<b>733-5609</b>	<b>536 LOB</b>	<b>78</b>
<b>Rep. Craig Horn</b>	<b>Pattie Fleming</b>	<b>733-2406</b>	<b>305 LOB</b>	<b>13</b>
<b>Rep. Verla Insko</b>	<b>Gina Insko</b>	<b>733-7208</b>	<b>502 LOB</b>	<b>72</b>
<b>Rep. David Lewis</b>	<b>Grace Rogers</b>	<b>715-3015</b>	<b>2301 LB</b>	<b>6</b>
<b>Rep. Garland Pierce</b>	<b>Janice Fenner</b>	<b>733-5803</b>	<b>1204 LB</b>	<b>34</b>
<b>Rep. Amos Quick</b>	<b>Mildred Alston</b>	<b>733-5902</b>	<b>1317 LB</b>	<b>91</b>
<b>Rep. Sarah Stevens</b>	<b>Lisa Brown</b>	<b>715-1883</b>	<b>419 LOB</b>	<b>7</b>
<b>Rep. Sam Watford</b>	<b>Regina Irwin</b>	<b>715-2526</b>	<b>2121 LB</b>	<b>76</b>
<b>Rep. Linda Williams</b>	<b>Kathy Peters</b>	<b>733-2962</b>	<b>603 LOB</b>	<b>90</b>

**Staff:**  
**Tawanda Foster**  
**Wendy Graf Ray**  
**919-733-2578**



## **Homelessness, Foster Care, and Dependency**

[illegible]



**NORTH CAROLINA GENERAL ASSEMBLY  
HOMELESSNESS, FOSTER CARE, and DEPENDENCY  
2017-2018 SESSION**



**Rep. Jonathan Jordan**  
Chair



**Rep. Evelyn Terry**  
Vice Chair



**Rep. John Autry**



**Rep. MaryAnn Black**



**Rep. Beverly Boswell**



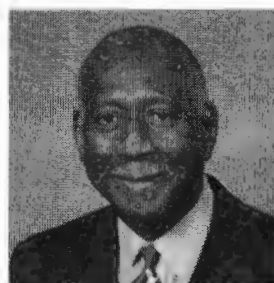
**Rep. Bill Brawley**



**Rep. Mike Clampitt**



**Rep. Rosa Gill**



**Rep. George Graham**



**Rep. Kyle Hall**

**NORTH CAROLINA GENERAL ASSEMBLY**  
**HOMELESSNESS, FOSTER CARE, and DEPENDENCY**  
**2017-2018 SESSION**



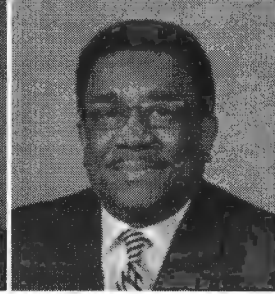
**Rep. Craig Horn**



**Rep. Verla Insko**



**Rep. David Lewis**



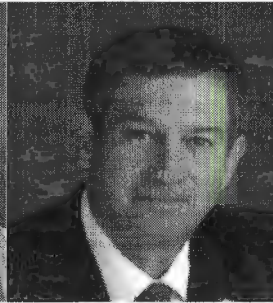
**Rep. Garland Pierce**



**Rep. Amos Quick**



**Rep. Sarah Stevens**



**Rep. Sam Watford**



**Rep. Linda Williams**





**House Committee on Homelessness, Foster Care, and Dependency**  
**Thursday, March 2, 2017 at 9:00 AM**  
**1228/1327 Legislative Building**

**Sergeant of Arms**

1. **David Leighton**
2. **Terry McCraw**
3. **Dean Marshbourne**
4. **Malachi McCullough**



9:08 start  
9:53 end

## ATTENDANCE

## Homelessness, Foster Care, and Dependency

[illegible]



**House Committee on Homelessness, Foster Care, and Dependency**  
**Thursday, March 2, 2017, 9:00 AM**  
**1228/1327 Legislative Building**

## **AGENDA**

### **Welcome and Opening Remarks**

Rep. Jonathan Jordan, presiding

### **Introduction of Pages**

### **Presentations**

Meribeth Robinson, Chief Clinical Officer  
The Children's Home, Winston Salem

Kevin Otis, Administrator  
The Masonic Home for Children at Oxford

Harry Greene Sr., Former Resident  
The Children's Home, Winston Salem

### **Adjournment**





**House Committee on Homelessness, Foster Care, and Dependency**  
**Thursday, March 2, 2017 at 9:00 AM**  
**1228/1327 Legislative Building**

**MINUTES**

The House Committee on Homelessness, Foster Care, and Dependency met at 9:00 AM on Thursday, March 2, 2017 in Room 1228/1327 of the Legislative Building. Representatives Jordan, Terry, Autry, Boswell, Brawley, Clampitt, Horn, Pierce, and Williams attended. Tawanda Foster (Research Staff Counsel), along with Emma Benson (Committee Clerk) were in attendance. A Visitor Registration list is attached and made part of these minutes. (Attachment 1)

Representative Jonathan Jordan, Chair, presided. The chair called the meeting to order at 9:08 AM. He introduced the Sergeants at Arms (Attachment 2) and House Pages (Attachment 3).

Chairman Jordan began the meeting by recognizing all members of the committee to introduce themselves and explain why they are interested in the topic of Homelessness, Foster Care, and Dependency.

Chairman Jordan recognized Meribeth Robinson, the Chief Clinical Officer of the Winston Salem Children's Home, to give a presentation on the organization. Her presentation focused on the mental health concerns regarding children who are removed from their homes and placed into foster care. Ms. Robinson shared facts about the Children's Home and anecdotal evidence of successes from the organization.

Chairman Jordan recognized Kevin Otis, Administrator at The Masonic Home for Children at Oxford. He explained the importance of a community and how The Masonic Home has been successful due to the supportive community it has including from donors and businesses that provide opportunities for jobs for residents. Mr. Otis also provided anecdotal evidence of successes from the organization.

Chairman Jordan recognized Harry Greene Sr., a former resident of the Winston Salem Children's home and advocate for children, to speak about his experiences. He shared his story of losing his parents and traveling to Winston Salem in the 1930s, where he was given tasks and chores that lead to his enlisting in the US Navy. Mr. Greene Sr. expressed the importance of Children's Homes and all that they've done to help children in need.

At the conclusion of the presentations Chairman Jordan allowed time for questions and comments from the Committee and the Public. After some discussion, Chairman Jordan adjourned the meeting at 9:53 AM.







  
Representative Jonathan Jordan, Chair  
Presiding

  
Emma Benson, Committee Clerk

Attachments

1. Visitor Registration Sheet
2. Committee Sergeants at Arms
3. House Pages



## VISITOR REGISTRATION SHEET

House Com/Homelessness, Foster Care, Dependency 03/02/2017

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CL

NAME

FIRM OR AGENCY AND ADDRESS

Kathy Johnson	Masonic Home for children - Oxford
Kevin A. OTIS	Masonic Home for children - Oxford
Penny Huff	SOB
Emma Shelby	The Policy Group
Amber Harris	NCACC
Donna Cogler	Nazareth Child + Family Connection
Brent Johnson	NASW-NC
Marion Conell	NASW-NC
Tom VITAGLIONE	NC CHILD
JONATHAN A. UNDERWOOD	GRAND LODGE OF A.F. & A.M. OF NC, RALEIGH
SPEED HALLMAN	BOARD MEMBER, MASONIC HOME FOR CHILDREN OF OXFORD



# VISITOR REGISTRATION SHEET

House Com/Homelessness, Foster Care, Dependency 03/02/2017

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Bayer Megale Kun Mr	Selma Lodge 320 Kun
W. Chris Ternigan	Southmountain Children & Family Serv PO Box 3387 Morganton, NC 28655
VEENON L. WALTERS, JR	Nazareth Child & Family Connection P.O. Box 1438 Rockwell, NC 28138
Jennifer Ethridge	Nazareth Child & Family Connection P.O. Box 1438 Rockwell, NC 28138
Jamarca Pfister	Childrens Home Society
A B Swindle	Bridg Stue
A. Gene Cobb Jr	Masonic Home For Children, Oxford NC



Committee Sergeants at ArmsNAME OF COMMITTEE H C /Homelessness,Foster Care,DependencyDATE: 3/02/2017Room: 1228/1327House Sgt-At Arms:1. Name: David Leighton2. Name: Terry McCraw3. Name: Dean Marshbourne4. Name: Malachi McCullough

5. Name: \_\_\_\_\_

Senate Sgt-At Arms:

1. Name: \_\_\_\_\_

2. Name: \_\_\_\_\_

3. Name: \_\_\_\_\_

4. Name: \_\_\_\_\_

5. Name: \_\_\_\_\_





**House Pages  
Assignments  
Thursday, March 02, 2017  
Session: 11:00 AM**

<b>Committee</b>	<b>Room</b>	<b>Time</b>	<b>Staff</b>	<b>Comments</b>	<b>Member</b>
Homelessness, Foster Care and Dependency	1228/1327	9:00 AM	Melvin McLawhorn		Rep. Speaker Tim Moore
			Kelsey Peterson		Rep. John Ager
			Michaela-Sivan Steele		Rep. Speaker Tim Moore





**House Committee on Homelessness, Foster Care, and Dependency**  
**Thursday, March 16, 2017 at 9:00 AM**  
**1228/1327 Legislative Building**

**Sergeant at Arms**

1. **Warren Hawkins**
2. **Doug Harris**
3. **David Linthicum**
4. **Malachi McCullough, Jr.**





**House Committee on Homelessness, Foster Care, and Dependency**  
**Thursday, March 16, 2017 at 9:00 AM**  
**1228/1327 Legislative Building**

**MINUTES**

The House Committee on Homelessness, Foster Care, and Dependency met at 9:00 AM on Thursday, March 16, 2017 in Room 1228/1327 of the Legislative Building. Representatives Jordan, Terry, Autry, Black, Boswell, Brawley, Clampitt, Gill, Graham, Insko, Lewis, Pierce, Stevens, Watford, and Williams attended. Tawanda Foster and Wendy Graf Ray (Research Staff Counsel), along with Emma Benson (Committee Clerk) were in attendance. A Visitor Registration list is attached and made part of these minutes. (Attachment 1)

Representative Jonathan Jordan, Chair, presided. The chair called the meeting to order at 9:06 AM. He introduced the Sergeants at Arms (Attachment 2) and House Pages. (Attachment 3)

Chairman Jordan recognized Sara DePasquale, Assistant Professor of Public Law and Government of the UNC School of Government. Ms. DePasquale spoke about the stages of abuse, neglect and dependency cases in North Carolina: From Report to Final Disposition (Attachment 4). After her presentation there was much discussion among the committee, including questions or comments from Reps. Williams, Black, Stevens, Boswell, Brawley, and Insko.

Chairman Jordan recognized Susan Sanderson, IV-E Coordinator of the Division of Social Services, Child Welfare Service Section, North Carolina Department of Health and Human Services. Ms. Sanderson went into more detail about Guardianship in North Carolina. (Attachment 5) Committee members were not given the opportunity to present questions for discussion due to time constraints.

Chairman Jordan concluded the committee meeting by announcing Jamaica Pfister's presentation be moved to next week.

Rep. Jordan adjourned the meeting at 9:55 AM due to scheduled session.

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Representative Jonathan Jordan, Chair  
Presiding

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Emma Benson, Committee Clerk





#### Attachments

1. Visitor Registration Sheet
2. Committee Sergeants at Arms
3. House Pages
4. Stages of Abuse, Neglect, and Dependency Cases in North Carolina: From Report to Final Disposition
5. Guardianship in North Carolina





**VISITOR REGISTRATION SHEET**

House Committee on Homelessness, Foster Care,  
& Dependency 3/16/2

Name of Committee

Date \_\_\_\_\_

Attachment 1

FIRM OR AGENCY AND ADDRESS

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## VISITOR REGISTRATION SHEET

House Committee on Homelessness, Foster Care,

&amp; Dependency

3/16/2017

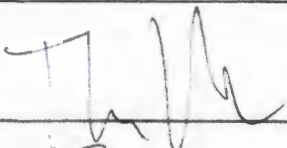
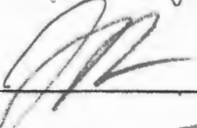
Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

	CGA
	CSS
Rhaegen Jackson	Focus Carolina
Richard Bostee	NC SIBA
Sillian Tolman	MWCLLC
MaH Gross	NC Child
Gene Royall	NCFPC



Committee Sergeants at ArmsHouse Committee on Homelessness, Foster Care,  
& Dependency

NAME OF COMMITTEE \_\_\_\_\_

DATE: 3/16/2017Room: 1228/1327House Sgt-At Arms:1. Name: Warren Hawkins2. Name: Doug Harris3. Name: David Linthicum4. Name: Malachi McCullough, Jr.

5. Name: \_\_\_\_\_

Senate Sgt-At Arms:

1. Name: \_\_\_\_\_

2. Name: \_\_\_\_\_

3. Name: \_\_\_\_\_

4. Name: \_\_\_\_\_

5. Name: \_\_\_\_\_



**House Pages  
Assignments  
Thursday, March 16, 2017  
Session: 10:00 AM**

Committee	Room	Time	Staff	Comments	Member
Appropriations, Agriculture and Natural and Economic Resources	421	8:30 AM	Marissa Huggins		Rep. Mike Clampitt
			Eleanor McNamee		Rep. Speaker Tim Moore
Homeless, Foster Care, and Dependency	1228/1327	9:00 AM	Eliza Hilton		Rep. Speaker Tim Moore
			Hannah Lewis		Rep. Speaker Tim Moore
			Brooke Reutinger		Rep. Speaker Tim Moore
			Sophia Sload		Rep. Speaker Tim Moore
Elections and Ethics	544	10:30 AM	Yasmeen Ayesh		Rep. Speaker Tim Moore
			Emily Kornegay		Rep. Speaker Tim Moore
			Yara Mahmoud		Rep. Speaker Tim Moore
			Makenzie Waites		Rep. Sarah Stevens





# Child Welfare: Obtaining Permanency

Sara DePasquale  
[sara@sog.unc.edu](mailto:sara@sog.unc.edu)



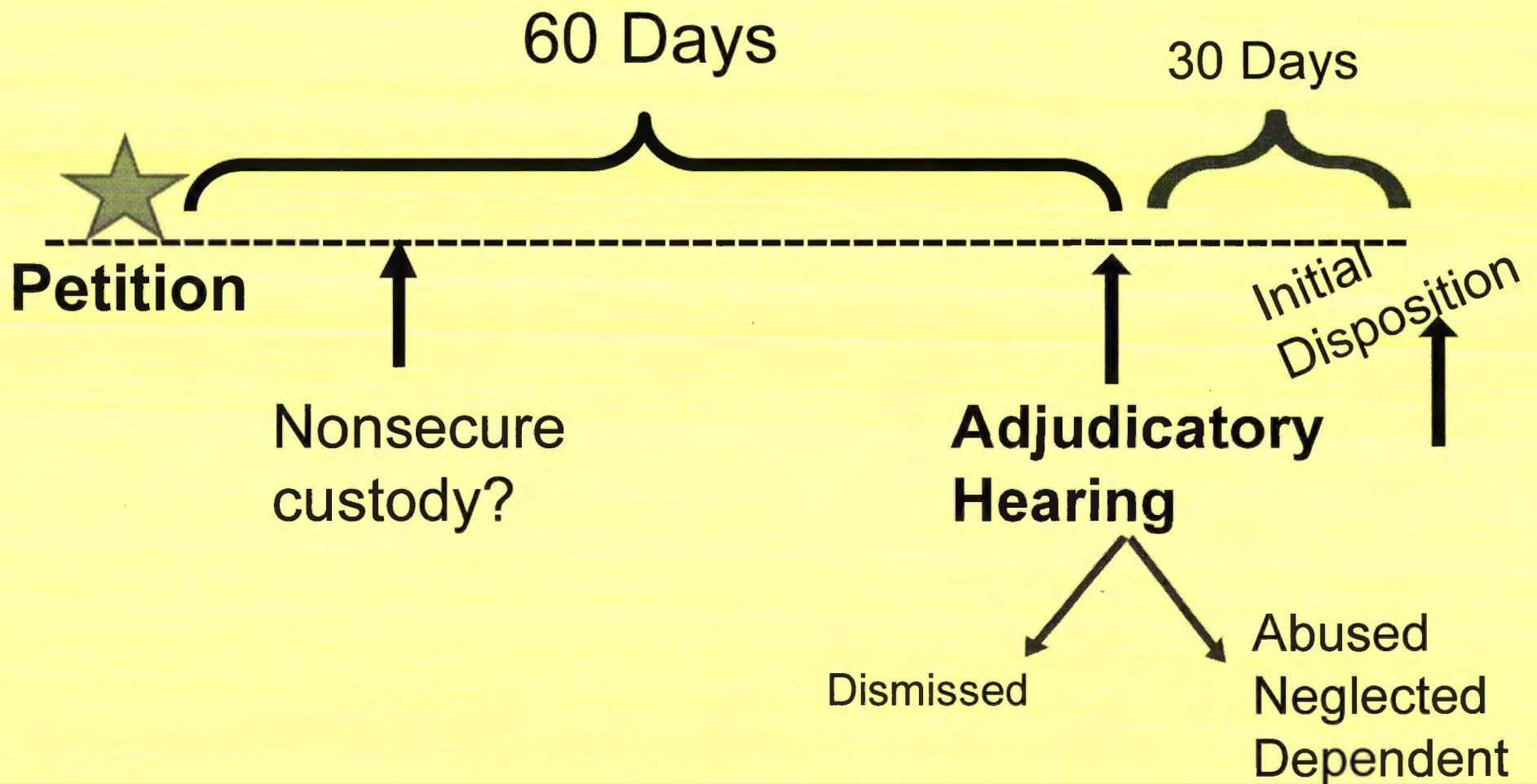
UNC

SCHOOL OF GOVERNMENT

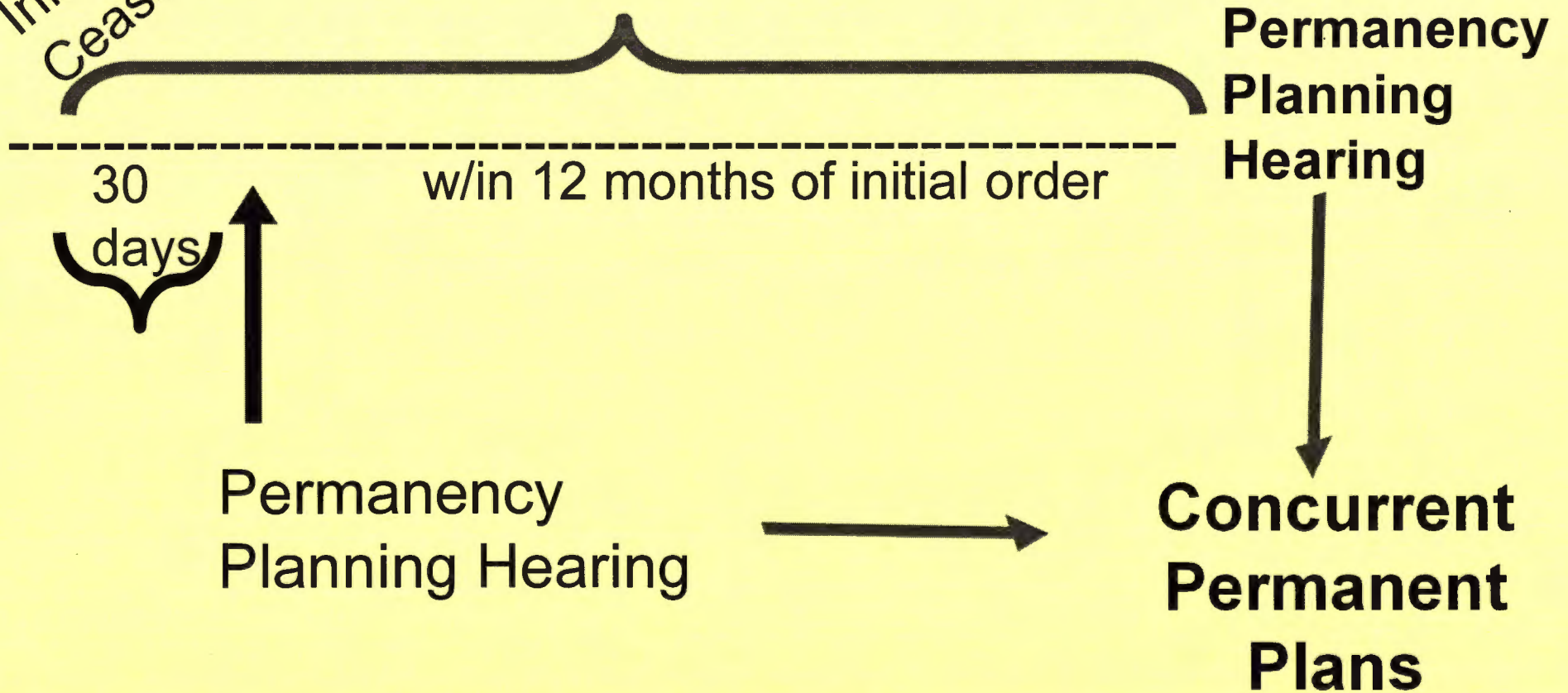
[www.sog.unc.edu](http://www.sog.unc.edu)



# Court Action

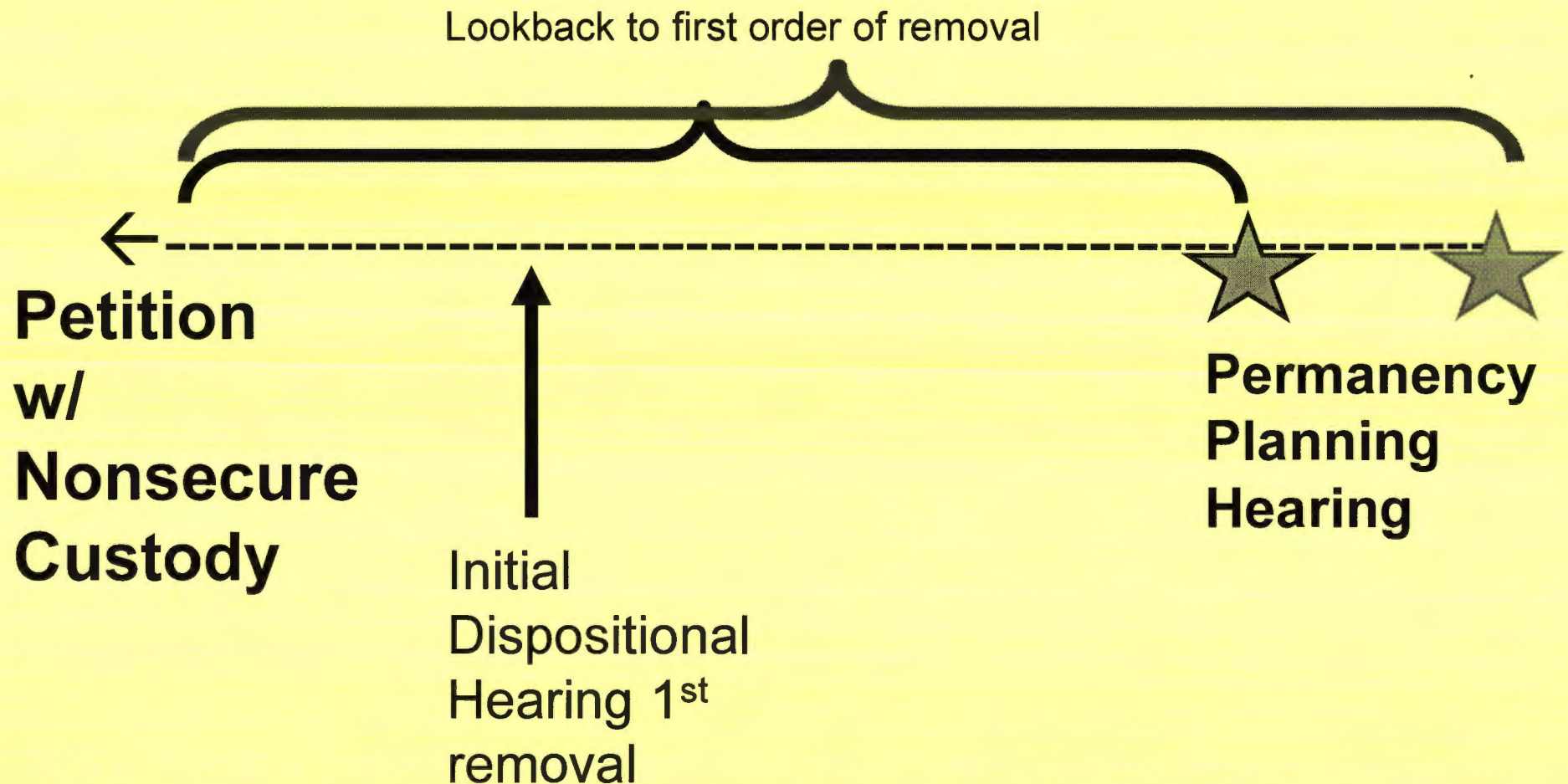


Initial Disposition:  
Cease Efforts





# When Is That?



# Permanency Options, 7B-906.20

**Reunification**

**Adoption**

**Guardianship**

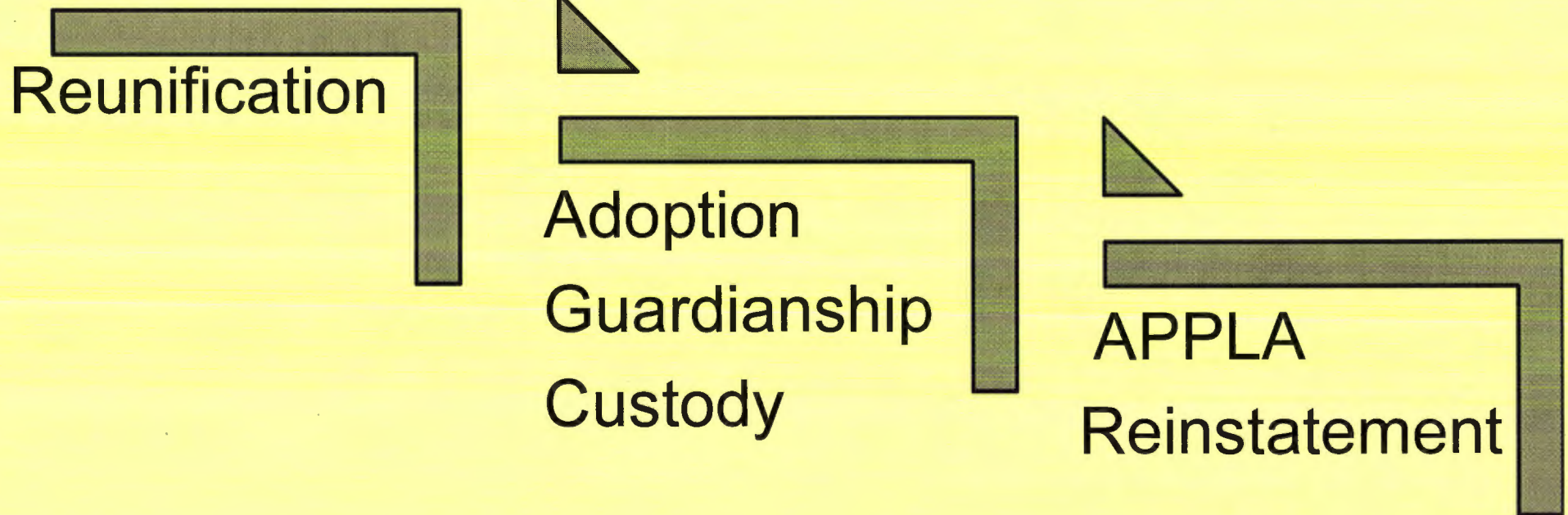
**Custody  
to Nonparent**

**APPLA**

**Reinstatement  
of Parental  
Rights**



# Priority



# **State of North Carolina Foster Care Data**

## **Total Number of Children in Foster Care (FY 2015-2016)**

<b>County</b>	<b>Number</b>
Alamance	188
Alexander	95
Alleghany	22
Anson	21
Ashe	66
Avery	34
Beaufort	134
Bertie	11
Bladen	82
Brunswick	194
Buncombe	476
Burke	220
Cabarrus	161
Caldwell	345
Camden	5
Carteret	102
Caswell	22
Catawba	316
Chatham	122
Cherokee	127
Chowan	10
Clay	22
Cleveland	276
Columbus	126
Craven	119
Cumberland	1258
Currituck	49
Dare	47
Davidson	217
Davie	74
Duplin	71
Durham	315
Edgecombe	96
Forsyth	232
Franklin	99
Gaston	399
Gates	0
Graham	41
Granville	60
Greene	53
Guilford	631
Halifax	44

Harnett	211
Haywood	149
Henderson	216
Hertford	3
Hoke	56
Hyde	1
Iredell	316
Jackson	74
Johnston	174
Jones	10
Lee	100
Lenoir	60
Lincoln	120
Macon	59
Madison	91
Martin	79
McDowell	167
Mecklenburg	997
Mitchell	100
Montgomery	61
Moore	64
Nash	76
New Hanover	606
Northampton	29
Onslow	366
Orange	146
Pamlico	18
Pasquotank	28
Pender	87
Perquimans	5
Person	123
Pitt	212
Polk	56
Randolph	165
Richmond	33
Robeson	527
Rockingham	249
Rowan	215
Rutherford	163
Sampson	191
Scotland	40
Stanley	57
Stokes	157



Surry	120
Swain	84
Transylvania	80
Tyrell	7
Union	136
Vance	55
Wake	993
Warren	11

**5,721 children entered foster care in 2016.**

**Top Reasons Children Enter Foster Care**

	Number	Percentage
Neglect	4,743	82.91%
Drug Addicted Parent	2,159	37.74%
Coping	1,221	21.34%
Domestic Violence	1,006	17.58%
Inadequate Housing	820	14.33%
Physical Abuse	544	9.51%

Washington	13
Watauga	78
Wayne	193
Wilkes	307
Wilson	92
Yadkin	71
Yancey	44
<b>TOTAL</b>	<b>15,923</b>

**5,492 children exited foster care in 2016.**

**Top Reasons Children Exited Foster Care**

	Number	Percentage
Reunification with Parents or Primary Caretakers	1,721	31.34%
Adoption	1,338	24.37%
Guardianship with a Relative	783	14.26%
Custody with Non-Removal Parent or Relative	569	10.36%
Emancipation/Aged Out	545	9.92%

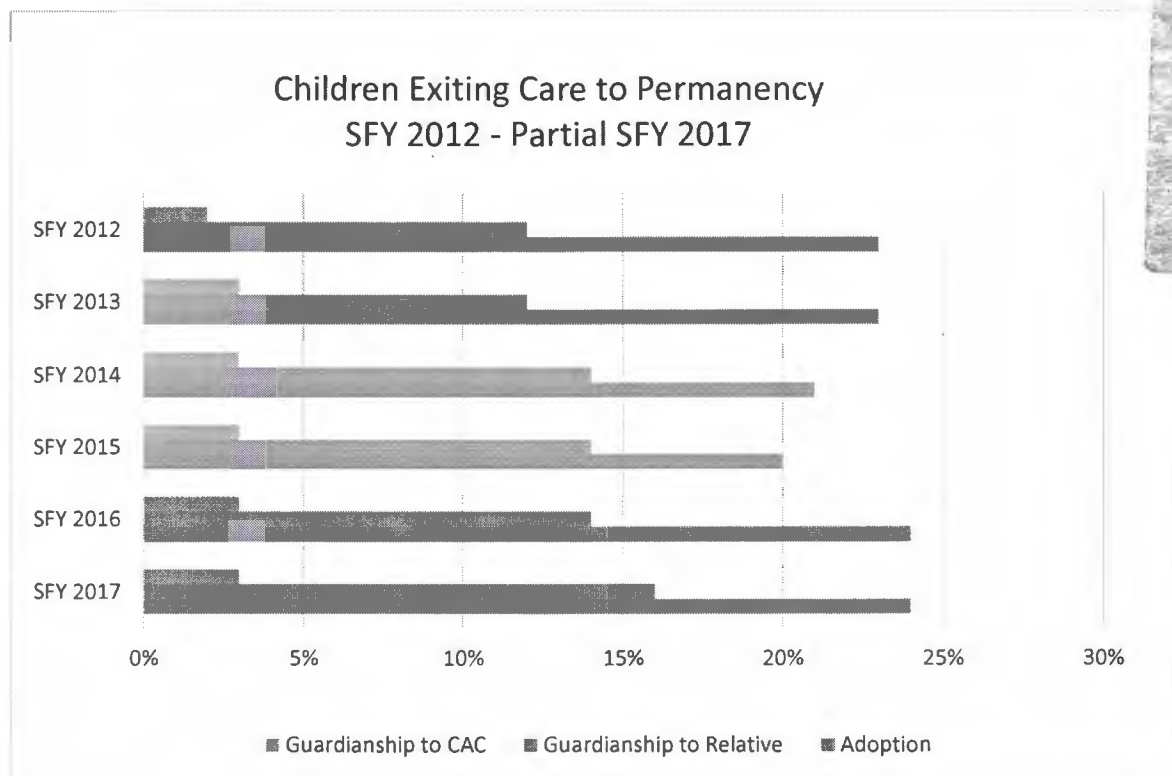
**Statewide Foster Care Expenditures (FY 2014-2015) were \$221,037,372.00.**

	Federal	State	Provider	County	County Survey
<b>Number</b>	\$86,596,790	\$32,741,054	\$221,225	93,621,400	7,856,903
<b>Percentage</b>	39.18%	14.81%	0.10	42.36%	3.55%

*This information was compiled by Tawanda Foster, Staff Attorney, Legislative Analysis Division with assistance from Deborah Landry, Fiscal Research Division Staff, and staff at the Department of Health and Human Services.*



## Guardianship in North Carolina



CAC = court appointed caretaker

### Criteria for Guardianship Assistance Benefits

- The child has been removed from his or her home pursuant to a voluntary placement agreement or because of a judicial determination to the effect that continuation in the home would be contrary to the welfare of the child;
- The Court determines that reunification and adoption are not appropriate permanency options for the child;
- The child is eligible for foster care maintenance payments and has been placed in the licensed home of the prospective legal guardian for a minimum of 6 consecutive months;
- The child is in the placement responsibility of a North Carolina county child welfare agency at the time of entry into the GAP;
- The child is at least 14 years of age, but not older than 18 years of age and demonstrates a strong attachment to the prospective guardian and has been consulted regarding the guardianship arrangement; or, the child is not yet 14 years of age but is being placed in a legal guardianship arrangement with a sibling who meets the age requirement and the county child welfare agency and the prospective guardian agree on the appropriateness of the arrangement for the sibling;
- The prospective legal guardian has a strong commitment to permanently care for the child; and,
- The prospective legal guardian has entered into a guardianship assistance agreement with the county child welfare agency who holds custody of the child prior to the order granting legal guardianship.





**House Committee on Homelessness, Foster Care, and Dependency**  
**Thursday, March 23, 2017 at 9:00 AM**  
**1228/1327 Legislative Building**

**Sergeant at Arms**

1. **Reggie Sills**
2. **Marvin Lee**
3. **Terry McCraw**
4. **Thomas Terry**





**House Committee on Homelessness, Foster Care, and Dependency**  
**Thursday, March 23, 2017 at 9:00 AM**  
**1228/1327 Legislative Building**

**MINUTES**

The House Committee on Homelessness, Foster Care, and Dependency met at 9:00 AM on Thursday, March 23, 2017 in Room 1228/1327 of the Legislative Building. Representatives Jordan, Terry, Black, Boswell, Clampitt, Pierce, Quick, Stevens, Watford, and Williams attended. Tawanda Foster and Wendy Graf Ray (Research Staff Counsel), along with Emma Benson (Committee Clerk) were in attendance. A Visitor Registration list is attached and made part of these minutes. (Attachment 1)

Representative Jonathan Jordan, Chair, presided. The chair called the meeting to order at 9:02 AM. He introduced the Sergeants at Arms (Attachment 2) and House Pages. (Attachment 3) The following bill was considered:

*House Bill 362 and a Bill Summary are provided. (Attachments 4 and 5)*

**HOUSE BILL 362: CHANGES TO THE JUVENILE CODE.**

Chairman Jordan recognized Deana Fleming, Guardian Ad Litem, to explain the bill.

House Bill 362 makes various changes to the juvenile laws. The act would become effective October 1, 2017.

Chairman Jordan recognized Reps. Stevens, Clampitt, and Black to discuss the bill.

Chairman Jordan recognized Kevin Kelly with the Department of Health and Human Services and Tawanda Foster, Legislative Staff, to provide information on the bill.

Chairman Jordan recognized Rep. Clampitt to make a motion for a favorable report of the bill. The motion passed without dissent.

Chairman Jordan recognized Jamaica Pfister, Area Director for the Children's Home Society to speak. Ms. Pfister went into detail about the many programs the private organization provides to the State of North Carolina regarding foster care and adoption. Ms. Pfister pointed out the organization's efficiency and the cost comparisons between their program and the State's foster care program.





Chairman Jordan recognized Reps. Black, Stevens, Watford, and Williams to ask Ms. Pfister and Tawanda Foster, Legislative Staff Member, questions.

There being no further business, Rep. Jordan adjourned the meeting at 9:44 AM.

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Representative Jonathan Jordan, Chair  
Presiding

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Emina Benson, Committee Clerk

#### Attachments

1. Visitor Registration Sheet
2. Committee Sergeants at Arms
3. House Pages
4. House Bill 362
5. House Bill 362 Bill Summary





# VISITOR REGISTRATION SHEET

Homelessness, Foster Care, and Dependency

3-23-2017

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

<i>George Peters</i>	<i>CSS</i>
<i>Reginald O'Rourke</i>	<i>AOC - GAL Program</i>
<i>Mildred Spearman</i>	<i>NCAOC</i>
<i>Kevin Kelley</i>	<i>DHHS - DSS</i>
<i>Susan Sanderson</i>	<i>DHHS - DSS</i>
<i>Sillian Tolman</i>	<i>MWC LLC</i>
<i>[Signature]</i>	<i>MWC</i>
<i>Dana Clark</i>	<i>UNCEOB</i>
<i>Marilyn Avila</i>	<i>Rep Stevens</i>

Attachment 1



Committee Sergeants at Arms

NAME OF COMMITTEE HOUSE COMM ON HOMELESSNESS

DATE: 03-23-2017

Room: 1228

House Sgt-At Arms:

1. Name: REGGIE SILLS
2. Name: MARVIN LEE
3. Name: TERRY McCRAW
4. Name: THOMAS TERRY
5. Name:

Senate Sgt-At Arms:

1. Name:
2. Name:
3. Name:
4. Name:
5. Name:



**House Pages  
Assignments  
Thursday, March 23, 2017  
Session: 12:00 PM**

<b>Committee</b>	<b>Room</b>	<b>Time</b>	<b>Staff</b>	<b>Comments</b>	<b>Member</b>
Agriculture / Environment / Natural Resources	421	8:30 AM	Lily Ahlin		Rep. George Cleveland
			Colin Konieczka		Rep. Linda Hunt- Williams
Appropriations, Education	Other	8:30 AM	Autumn Brisson		Rep. William Brisson
			Kailey Gause		Rep. William Brisson
Appropriations, Transportation	1027/1128	8:30 AM	Blake Bellanger		Rep. Larry Bell
			Connor Scanlon		Rep. Joe John
Appropriations on Justice and Public Safety	415	9:00 AM	Joshua Babson		Rep. William Brisson
			Garrett Penley		Rep. Julia Howard
Homeless, Foster Care, and Dependency	1228/1327	9:00 AM	Akirah Graves		Rep. Rodney Moore
			Kayla Yarborough		Rep. Dean Arp



GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2017

H

2

HOUSE BILL 362\*  
Committee Substitute Favorable 3/22/17

Short Title: Changes to the Juvenile Code.-AB

(Public

Sponsors:

Referred to:

March 16, 2017

Attachment 4

1 A BILL TO BE ENTITLED  
2 AN ACT TO MAKE VARIOUS CHANGES TO THE JUVENILE LAWS.  
3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** G.S. 7B-200(a) is amended by adding a new subdivision to read:  
5 "(a) The court has exclusive, original jurisdiction over any case involving a juvenile who  
6 is alleged to be abused, neglected, or dependent. This jurisdiction does not extend to cases  
7 involving adult defendants alleged to be guilty of abuse or neglect.

8 The court also has exclusive original jurisdiction of the following proceedings:

9 ...

10 (5a) Proceedings to review the placement of a young adult in foster care pursuant  
11 to G.S. 108A-48 and G.S. 7B-910.1.

12 ...."

13 **SECTION 2.** G.S. 7B-404 reads as rewritten:  
14 "**§ 7B-404. Immediate need for petition when clerk's office is closed.**

15 (a) When the office of the clerk is closed, a magistrate ~~may be authorized by the chief~~  
16 ~~district court judge to draw, verify, and issue petitions as follows:~~ shall accept for filing the  
17 following:

- 18 (1) ~~When the director of the department of social services requests a~~ A petition  
19 ~~alleging a juvenile to be abused, neglected, or dependent, or dependent.~~  
20 (2) ~~When the director of the department of social services requests a~~ A petition  
21 ~~alleging the obstruction of or interference with an assessment required by~~  
22 ~~G.S. 7B-302.~~

23 (b) The authority of the magistrate under this section is limited to emergency situations  
24 when a petition ~~is required in order must be filed~~ to obtain a nonsecure custody order or an  
25 order under G.S. 7B-303. Any petition ~~issued~~ accepted for filing under this section shall be  
26 delivered to the clerk's office for processing as soon as that office is open for business."

27 **SECTION 3.** G.S. 7B-405 reads as rewritten:  
28 "**§ 7B-405. Commencement of action.**

29 An action is commenced by the filing of a petition in the clerk's office when that office is  
30 open or by the ~~issuance~~ acceptance of a juvenile petition by a magistrate when the clerk's office  
31 is closed, which ~~issuance~~ shall constitute filing."

32 **SECTION 4.** G.S. 7B-407 reads as rewritten:  
33 "**§ 7B-407. Service of summons.**

34 The summons shall be served under G.S. 1A-1, Rule 4(j) ~~4~~ upon the parent, guardian,  
35 custodian, or caretaker, not less than five days prior to the date of the scheduled hearing. The  
36 time for service may be waived in the discretion of the court.





If service by publication under G.S. 1A-1, Rule 4(j1) is required, the cost of the service by publication shall be advanced by the petitioner and may be charged as court costs as the court may direct."

**SECTION 5.** G.S. 7B-505 reads as rewritten:

**"§ 7B-505. Placement while in nonsecure custody.**

(a) A juvenile meeting the criteria set out in G.S. 7B-503 may be placed in nonsecure custody with the department of social services or a person designated in the order for temporary residential placement ~~in~~ in any of the following:

(1) A licensed foster home or a home otherwise authorized by law to provide such ~~care; or care.~~

(2) A facility operated by the department of social ~~services; or services.~~

(3) Any other home or facility, including a ~~relative's home~~ the home of a parent, relative, nonrelative kin, or other person with legal custody of a sibling of the juvenile, approved by the court and designated in the order.

(b) ~~The court shall order the department of social services to make diligent efforts to notify relatives and any custodial parents of the juvenile's siblings that the juvenile is in nonsecure custody and of any hearings scheduled to occur pursuant to G.S. 7B-506, unless the court finds such notification would be contrary to the best interests of the juvenile. The court shall order the department of social services to make diligent efforts to notify relatives and other persons with legal custody of a sibling of the juvenile that the juvenile is in nonsecure custody and of any hearings scheduled to occur pursuant to G.S. 7B-506, unless the court finds the notification would be contrary to the best interests of the juvenile. In placing a juvenile in nonsecure custody under this section, the court shall first consider whether a relative of the juvenile is willing and able to provide proper care and supervision of the juvenile in a safe home. If the court finds that the relative is willing and able to provide proper care and supervision in a safe home, then the court shall order placement of the juvenile with the relative unless the court finds that placement with the relative would be contrary to the best interests of the juvenile.~~

**SECTION 6.** G.S. 7B-505.1 reads as rewritten:

**"§ 7B-505.1. Juvenile Consent for medical care for a juvenile placed in nonsecure custody of a department of social services.**

(a) Unless the court orders otherwise, when a juvenile is placed in the nonsecure custody of a county department of social services, the director may arrange for, provide, or consent to any of the following:

(1) Routine medical and dental care or ~~treatment; treatment, including, but not limited to, treatment for common pediatric illnesses and injuries that require prompt intervention.~~

...."

**SECTION 7.** G.S. 7B-506 reads as rewritten:

**"§ 7B-506. Hearing to determine need for continued nonsecure custody.**

...

(b) At a hearing to determine the need for continued custody, the court shall receive testimony and shall allow the ~~guardian ad litem, or juvenile, and the juvenile's parent, guardian, custodian, or caretaker parties~~ the right to introduce evidence, to be heard in the person's own behalf, and to examine witnesses. The petitioner shall bear the burden at every stage of the proceedings to provide clear and convincing evidence that the juvenile's placement in custody is necessary. The court shall not be bound by the usual rules of evidence at such hearings.

...

(g1) The provisions of G.S. 7B-905.1 shall apply to determine visitation.

...."

**SECTION 8.** G.S. 7B-906.1 reads as rewritten:



1 **"§ 7B-906.1. Review and permanency planning hearings.**

2 (a) ~~In any case where custody is removed from a parent, guardian, or custodian, the~~ The  
3 court shall conduct a review hearing within 90 days from the date of the initial dispositional  
4 hearing held pursuant to G.S. 7B-901 and shall conduct a review hearing within six months  
5 thereafter. Within 12 months of the date of the initial order removing custody, there shall be a  
6 review hearing designated as a permanency planning hearing. Review hearings after the initial  
7 permanency planning hearing shall be designated as subsequent permanency planning hearings.  
8 ~~The subsequent~~ Subsequent permanency planning hearings shall be held at least every six  
9 months thereafter or earlier as set by the court to review the progress made in finalizing the  
10 permanent plan for the juvenile, or if necessary, to make a new permanent plan for the juvenile.

11 ...

12 (d) At each hearing, the court shall consider the following criteria and make written  
13 findings regarding those that are relevant:

14 ...

- 15 (3) Whether efforts to reunite the juvenile with either parent clearly would be  
16 unsuccessful or inconsistent with the juvenile's health or safety and need for  
17 a safe, permanent home within a reasonable period of time. The court shall  
18 consider efforts to reunite regardless of whether the juvenile resided with the  
19 parent, guardian, or custodian at the time of removal. If the court determines  
20 efforts would be unsuccessful or inconsistent, the court shall ~~consider other~~  
21 permanent plans of care for the juvenile pursuant to G.S. 7B-906.2, schedule  
22 a permanency planning hearing within 30 days to address the permanent  
23 plans in accordance with this section and G.S. 7B-906.2, unless the  
24 determination is made at a permanency planning hearing.

25 ...

26 (o) This section does not apply to post termination of parental rights' placement  
27 reviews."

28 **SECTION 9. G.S. 7B-908 reads as rewritten:**

29 **"§ 7B-908. Post termination of parental rights' placement court review.**

30 (a) The purpose of each placement review is to ensure that every reasonable effort is  
31 being made to provide for a permanent placement ~~plan~~ plans for the juvenile who has been  
32 placed in the custody of a county director or licensed child-placing agency, which ~~is~~ are  
33 consistent with the juvenile's best interests. At each review hearing the court may consider  
34 information from the department of social services, the licensed child-placing agency, the  
35 guardian ad litem, the child, the person providing care for the child, and any other person or  
36 agency the court determines is likely to aid in the review. The court may consider any evidence,  
37 including hearsay evidence as defined in G.S. 8C-1, Rule 801, that the court finds to be  
38 relevant, reliable, and necessary to determine the needs of the juvenile and the most appropriate  
39 disposition.

40 (b) The court shall conduct a placement review not later than six months from the date  
41 of the termination hearing when parental rights have been terminated by a petition or motion  
42 brought by any person or agency designated in ~~G.S. 7B-1103(2)~~ G.S. 7B-1103(a)(2) through  
43 ~~(5)-(6), or one parent's parental rights have been terminated by court order and the other~~  
44 parent's parental rights have been relinquished under Chapter 48 of the General Statutes, and a  
45 county director or licensed child-placing agency has custody of the juvenile. The court shall  
46 conduct reviews every six months thereafter until the juvenile is the subject of a decree of  
47 adoption:

48 ...

49 (c) The court shall consider at least the following in its review and make written  
50 findings regarding the following that are relevant:

- (1) The adequacy of the ~~plan-permanency plans~~ developed by the county department of social services or a licensed child-placing agency for a permanent placement ~~relative to~~ in the juvenile's best interests and the efforts of the department or agency to implement ~~such plan~~ the plans.
- (2) Whether the juvenile has been listed for adoptive placement with ~~the North Carolina Adoption Resource Exchange, the North Carolina Photo Adoption Listing Service (PALS), or any other specialized adoption agency~~ NC Kids Adoption and Foster Care Network or any other child-specific recruitment program or whether there is an exemption to listing that the court finds is in the child's best interest.
- (3) The efforts previously made by the department or agency to find a permanent ~~home placement~~ for the juvenile.
- (4) Whether the current placement is in the juvenile's best interest.
- (d) The court, after making findings of fact, shall ~~do one of the following: adopt concurrent permanent plans and identify the primary and secondary plan in accordance with G.S. 7B-906.2(a)(2) through (6). The court may specify efforts that are necessary to accomplish a permanent placement that is in the best interests of the juvenile.~~
- (1) ~~Affirm the county department's or child-placing agency's plans.~~
- (2) ~~If~~
- (d1) If a juvenile is not placed with prospective adoptive parents as selected in G.S. 7B-1112.1, order a placement or different plan the court finds to be in the juvenile's best interest after considering the department's recommendations; the court may order a placement that the court finds to be in the juvenile's best interest after considering the department's recommendations.
- ~~In either case, the court may require specific additional steps that are necessary to accomplish a permanent placement that is in the best interests of the juvenile.~~
- ...."

**SECTION 10.** G.S. 7B-910.1(d) read as rewritten:

"(d) The clerk shall give written notice of the initial and any subsequent review hearings to the young adult ~~and in~~ foster care and the director of social services at least 15 days prior to the date of the hearing."

**SECTION 11.** G.S. 7B-1106(a) reads as rewritten:

"(a) Except as provided in G.S. 7B-1105, upon the filing of the petition, the court shall cause a summons to be issued. The summons shall be directed to the following persons or agency, not otherwise a party petitioner, who shall be named as respondents:

- (1) The parents of the juvenile. However, a summons does not need to be directed to or served upon any parent who, under Chapter 48 of the General Statutes, has irrevocably relinquished the juvenile to a county department of social services or licensed child-placing agency or to any parent who has consented to the adoption of the juvenile by the petitioner.
- (2) Any person who has been judicially appointed as guardian of the person of the juvenile.
- (3) The custodian of the juvenile appointed by a court of competent jurisdiction.
- (4) Any county department of social services or licensed child-placing agency to whom a juvenile has been released by one parent pursuant to Part 7 of Article 3 of Chapter 48 of the General Statutes or any county department of social services to whom placement responsibility for the child has been given by a court of competent jurisdiction.
- (5) Repealed by Session Laws 2009-38, s. 3, effective May 27, 2009.

The summons shall notify the respondents to file a written answer within 30 days after service of the summons and petition. Service of the summons shall be completed as provided

1 under the procedures established by G.S. 1A-1, Rule 4(j). 4. But the parent of the juvenile shall  
2 not be deemed to be under a disability even though the parent is a minor."

3 **SECTION 12.** G.S. 7B-2503(1)c. reads as rewritten:

4 "c. If the director of the department of social services has received notice  
5 and an opportunity to be heard, place the juvenile in the custody of a  
6 department of social services in the county of the juvenile's  
7 residence, or in the case of a juvenile who has legal residence outside  
8 the State, in the physical custody of a department of social services in  
9 the county where the juvenile is found so that agency may return the  
10 juvenile to the responsible authorities in the juvenile's home state. An  
11 order placing a juvenile in the custody or placement responsibility of  
12 a county department of social services shall contain a finding that the  
13 juvenile's continuation in the juvenile's own home would be contrary  
14 to the juvenile's best interest. This placement shall be reviewed in  
15 accordance with G.S. 7B-906.1. ~~The director may, unless otherwise~~  
16 ~~ordered by the judge, arrange for, provide, or consent to, needed~~  
17 ~~routine or emergency medical or surgical care or treatment. In the~~  
18 ~~case where the parent is unknown, unavailable, or unable to act on~~  
19 ~~behalf of the juvenile or juveniles, the director may, unless otherwise~~  
20 ~~ordered by the judge, arrange for, provide or consent to any~~  
21 ~~psychiatric, psychological, educational, or other remedial evaluations~~  
22 ~~or treatment for the juvenile placed by a judge or the judge's designee~~  
23 ~~in the custody or physical custody of a county department of social~~  
24 ~~services under the authority of this or any other Chapter of the~~  
25 ~~General Statutes. Prior to exercising this authority, the director shall~~  
26 ~~make reasonable efforts to obtain consent from a parent, guardian, or~~  
27 ~~eustodian of the affected juvenile. If the director cannot obtain~~  
28 ~~consent, the director shall promptly notify the parent, guardian, or~~  
29 ~~eustodian that care or treatment has been provided and shall give the~~  
30 ~~parent, guardian, or custodian frequent status reports on the~~  
31 ~~circumstances of the juvenile. Upon request of a parent, guardian, or~~  
32 ~~eustodian of the affected juvenile, the results or records of the~~  
33 ~~aforementioned evaluations, findings, or treatment shall be made~~  
34 ~~available to the parent, guardian, or custodian by the director unless~~  
35 ~~prohibited by G.S. 122C-53(d)."~~

36 **SECTION 13.** G.S. 7B-2506(1)c. reads as rewritten:

37 "c. If the director of the county department of social services has  
38 received notice and an opportunity to be heard, place the juvenile in  
39 the custody of the department of social services in the county of his  
40 the juvenile's residence, or in the case of a juvenile who has legal  
41 residence outside the State, in the physical custody of a department  
42 of social services in the county where the juvenile is found so that  
43 agency may return the juvenile to the responsible authorities in the  
44 juvenile's home state. An order placing a juvenile in the custody or  
45 placement responsibility of a county department of social services  
46 shall contain a finding that the juvenile's continuation in the  
47 juvenile's own home would be contrary to the juvenile's best interest.  
48 This placement shall be reviewed in accordance with G.S. 7B-906.1.  
49 ~~The director may, unless otherwise ordered by the judge, arrange for,~~  
50 ~~provide, or consent to, needed routine or emergency medical or~~  
51 ~~surgical care or treatment. In the case where the parent is unknown,~~



1           unavailable, or unable to act on behalf of the juvenile or juveniles,  
2           the director may, unless otherwise ordered by the judge, arrange for,  
3           provide, or consent to any psychiatric, psychological, educational, or  
4           other remedial evaluations or treatment for the juvenile placed by a  
5           judge or his designee in the custody or physical custody of a county  
6           department of social services under the authority of this or any other  
7           Chapter of the General Statutes. Prior to exercising this authority, the  
8           director shall make reasonable efforts to obtain consent from a  
9           parent, guardian, or custodian of the affected juvenile. If the director  
10          cannot obtain consent, the director shall promptly notify the parent,  
11          guardian, or custodian that care or treatment has been provided and  
12          shall give the parent, guardian, or custodian frequent status reports on  
13          the circumstances of the juvenile. Upon request of a parent, guardian,  
14          or custodian of the affected juvenile, the results or records of the  
15          aforementioned evaluations, findings, or treatment shall be made  
16          available to the parent, guardian, or custodian by the director unless  
17          prohibited by G.S. 122C-53(d)."

18           **SECTION 14.** G.S. 7B-3600 reads as rewritten:

19           **"§ 7B-3600. Judicial authorization of emergency treatment; procedure.**

20           A juvenile in need of emergency treatment under Article 1A of Chapter 90 of the General  
21           Statutes, whose physician is barred from rendering necessary treatment by reason of parental  
22           refusal to consent to treatment, may receive treatment with court authorization under the  
23           following procedure:

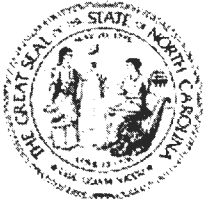
24           ...

25           The court's authorization for treatment under this Article shall have the same effect as  
26           parental consent for treatment.

27           Following the court's authorization for treatment and after giving notice to the juvenile's  
28           parent, guardian, or custodian the court shall conduct a hearing in order to provide for payment  
29           for the treatment rendered. The court may order the parent or other responsible parties to pay  
30           the cost of treatment. If the court finds the parent is unable to pay the cost of treatment, the cost  
31           shall be a charge upon the county when so ordered.

32           This Article shall operate as a remedy in addition to the provisions in G.S. 7B-903,  
33           7B-2503, and 7B-2506. G.S. 7B-505.1 and G.S. 7B-903.1."

34           **SECTION 15.** This act becomes effective October 1, 2017.



## HOUSE BILL 362: Changes to the Juvenile Code.

2017-2018 General Assembly

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<b>Committee:</b>	House Homelessness, Foster Care, and Dependency	<b>Date:</b>	March 22, 2017
<b>Introduced by:</b>	Rep. Jordan	<b>Prepared by:</b>	Tawanda N. Foster
<b>Analysis of:</b>	PCS to First Edition H362-CSTV-2		Committee Counsel

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**OVERVIEW:** *House Bill 362 makes various changes to the juvenile laws. The act would become effective October 1, 2017.*

### BILL ANALYSIS:

**Section 1** expands the jurisdiction of the juvenile court to include review hearings for youth in foster care who enter into a voluntary placement agreement for care after the age of 18.

**Section 2** clarifies a magistrate must accept juvenile petitions for filing under G.S. 7B-404 when the clerk of court's office is closed.

**Section 3** clarifies an action commences when a petition is accepted by a magistrate when the clerk's office is closed.

**Section 4** amends G.S. 7B-407 to allow summons to be served under G.S. 1A-1, Rule 4.

**Section 5** amends the list of approved placements for juveniles in nonsecure custody to add the home of a parent, relative, nonrelative kin, or other persons with legal custody of a sibling of the juvenile.

**Section 6** makes a technical correction and clarifies when a juvenile is in nonsecure custody routine medical or dental treatment authorized by the director of the county department of social services may include common pediatric illnesses and injuries.

**Section 7** makes a clarifying change to only require testimony from the parties in a hearing under G.S. 7B-506.

**Section 8** amends G.S. 7B-906.1 to allow review hearings when a court has jurisdiction whether custody has been removed from a parent, guardian or custodian or not. This section also requires the court to schedule a permanency planning hearing within 30 days of a review hearing that finds reunification efforts would be unsuccessful or inconsistent when that determination is not made at a permanency planning hearing.

**Section 9** requires post-termination of parental rights review hearings when a termination of parental rights is granted and when the juvenile is free for adoption after a termination of parental rights or a relinquishment.

**Section 10** corrects a typographical error.

Karen Cochrane-Brown  
Director



Legislative Analysis  
Division  
919-733-2578

# House PCS 362

*Page 2*

**Section 11** amends G.S. 7B-1106 to allow summons to be served under G.S. 1A 1, Rule 4 in a termination of parental rights matter.

**Section 12** makes a technical correction to G.S. 7B-2503 to remove unnecessary language.

**Section 13** makes a technical correction to G.S. 7B-2506 to remove unnecessary language.

**Section 14** clarifies a juvenile may receive medical treatment with court authorization under G.S. 7B-3600, 7B-505.1, or 7B-903.1.

**EFFECTIVE DATE:** This bill would become effective October 1, 2017.



**House Committee on Homelessness, Foster Care, and Dependency**  
**Thursday, March 30, 2017 at 9:00 AM**  
**1228/1327 Legislative Building**

**Sergeant at Arms**

1. **Warren Hawkins**
2. **Doug Harris**
3. **Malachi McCullough, Jr**
4. **William Moore**







**House Committee on Homelessness, Foster Care, and Dependency**  
**Thursday, March 30, 2017 at 9:00 AM**  
**1228/1327 Legislative Building**

**MINUTES**

The House Committee on Homelessness, Foster Care, and Dependency met at 9:00 AM on Thursday, March 30, 2017 in Room 1228/1327 of the Legislative Building. Representatives Jordan, Brawley, and Clampitt attended. Tawanda Foster and Wendy Graf Ray (Research Staff Counsel), along with Emma Benson (Committee Clerk) were in attendance. A Visitor Registration list is attached and made part of these minutes. (Attachment 1)

Representative Jonathan Jordan, Chair, presided. The chair called the meeting to order at 9:10 AM. He introduced the Sergeants at Arms (Attachment 2) and House Pages. (Attachment 3)

Chairman Jordan recognized Jenn Stout, MPA, Operations of Community Based Programs for Eckerd Kids and Dave Hardesty, Chief of Program Services, Southern Division for Eckerd Kids, to present on the Angels Watch program.

Ms. Stout and Mr. Hardesty shared that the Angels Watch program works to keep families together. Since 1998 Angels Watch has worked to provide safe, stable short-term care for children in licensed foster homes. Additional information can be found in their PowerPoint presentation. (Attachment 4)

Chairman Jordan and Rep. Clampitt provided questions for discussion to Ms. Stout and Mr. Hardesty.

Chairman Jordan recognized Professor Sara DePasquale to continue her presentation from two weeks ago. She was available to answer questions from the committee.

Chairman Jordan and Rep. Clampitt provided questions for discussion.

There being no further business, Rep. Jordan adjourned the meeting at 9:50 AM.

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Representative Jonathan Jordan, Chair  
Presiding

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Emma Benson, Committee Clerk





#### Attachments

1. Visitor Registration Sheet
2. Committee Sergeants at Arms
3. House Pages
4. Eckerd Kids Power Point Presentation



## VISITOR REGISTRATION SHEET

Attachment 1

Homelessness, Foster Care, and Dependency

03-30-2017

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Mike Leighs

NCP

J Perens

CSS

Mildred Spearman

NCAOC

Judith McDermott

OSBM

Emma Shelby

Policy Group



## VISITOR REGISTRATION SHEET

## Homelessness, Foster Care, and Dependency

Name of Committee

03-30-2017

Date \_\_\_\_\_

**VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK**

NAME \_\_\_\_\_

FIRM OR AGENCY AND ADDRESS

Franklin Freeman

mwc - Raleigh, NC

Philippe Rosse

# Caring for Children

Rachel Peguese

# Caring for Children

Sillian Totman

MWCLLC





## Attachment 2

### Committee Sergeants at Arms

House Committee on Homelessness, Foster Care, &

NAME OF COMMITTEE Dependency

DATE: 3/30/2017

Room: 1228/1327

### House Sgt-At Arms:

1. Name: Warren Hawkins
2. Name: Doug Harris
3. Name: Malachi McCullough, Jr
4. Name: William Moore
5. Name: \_\_\_\_\_

### Senate Sgt-At Arms:

1. Name: \_\_\_\_\_
2. Name: \_\_\_\_\_
3. Name: \_\_\_\_\_
4. Name: \_\_\_\_\_
5. Name: \_\_\_\_\_



**House Pages  
Assignments  
Thursday, March 30, 2017  
Session: 11:00 AM**

Committee	Room	Time	Staff	Comments	Member
Homelessness, Foster Care, and Dependency	1228/1327	9:00 AM	Megan Hammaker		Rep. Kevin Corbin
			Brenton Lanier		Rep. Brenden Jones
			Diamond Smith		Rep. Speaker Tim Moore
			Situna Taliau		Rep. Speaker Tim Moore
Homeland Security, Military, and Veterans Affairs	421	9:30 AM	Troy Elbert		Rep. Marvin Lucas
			Christopher Tucker		Rep. Speaker Tim Moore
			Ubaldo Velasco-Lopez		Rep. Speaker Tim Moore
			Benjamin Williams		Rep. Marvin Lucas
University Board of Governors Nominating	1228/1327	15 min After Session	Hunter Freeman		Rep. Speaker Tim Moore
			Jon Edmonston		Rep. Grier Martin
			Greyson Siderio		Rep. Chris Malone
			Anthony Vincent		Rep. Speaker Tim Moore

10



11



12



# Angels WATCH



Services provided by



CARING for CHILDREN

a program of **Eckerd**  
Kids

**Attachment 4**







## ***Angels Watch History***

Since 1998, Angels Watch has operated as an emergency placement program in Buncombe County.

Provides safe, stable short-term care for children (ages 0-6 or sibling groups up to age 10) in licensed foster homes.

Funded by the United Way and private donations.

Angels Watch children are not in the custody of the Department of Social Services.

Services provided by









## Angels Watch Expansion

With new NC Legislative  
funding for fiscal year  
2016-2017

**TOTAL APPROPRIATION:**  
**\$1,100,000.00**

- Serve 275 youth statewide

Increased Angels Watch  
services from Buncombe  
County exclusively to  
42 counties/ four regions:

- 1) Charlotte
- 2) Raleigh
- 3) Lumberton
- 4) Western NC







## Program Objectives

### OBJECTIVES BEING ACHIEVED:

- Help parent/guardian in crisis to promote effective coping that can lead to positive growth and remove barriers.
- Provide a safe and stable environment for children during their stay in Angel's Watch homes.
- Provide the necessary tools and resources to parent/guardian so children can return to a safe and stable environment.
- Increase parent/guardian skills and knowledge of child development and build on strengths while reducing risk factors.
- At-risk children are placed in an Angels Watch (*licensed foster home who are paid by Caring for Children/Eckerd Kids*) for 1- 90 days while the family works to resolve the crisis.







## Outcomes

### EXPECTED RESULTS:

#### Discharge from program:

- **90%** of all children will be discharged within 90 days.

#### Foster Home Visits:

- **98%** of foster home visits will be conducted face-to-face monthly.

#### Community Support:

- **85%** Parents report knowledge of community support as demonstrated thru program generated recommendations and referrals.

#### Population Served:

- **100%** served will be children who are age 0-6 (*with siblings up to age 10*) who are not in the custody of the Department of Social Services and whose families are temporarily unable to care for them because of a crisis.







[illegible]







Services provided by



**CARING** *for* **CHILDREN**

a program of **Eckerd**  
Kids

## Program Activity To Date

No children served have entered the foster care system.

**16** - New foster homes licensed by Angels Watch.

**5** – Memorandum of Understanding's completed.

**8** - Subcontracts completed.

Contract executed with DHHS in October 2016.

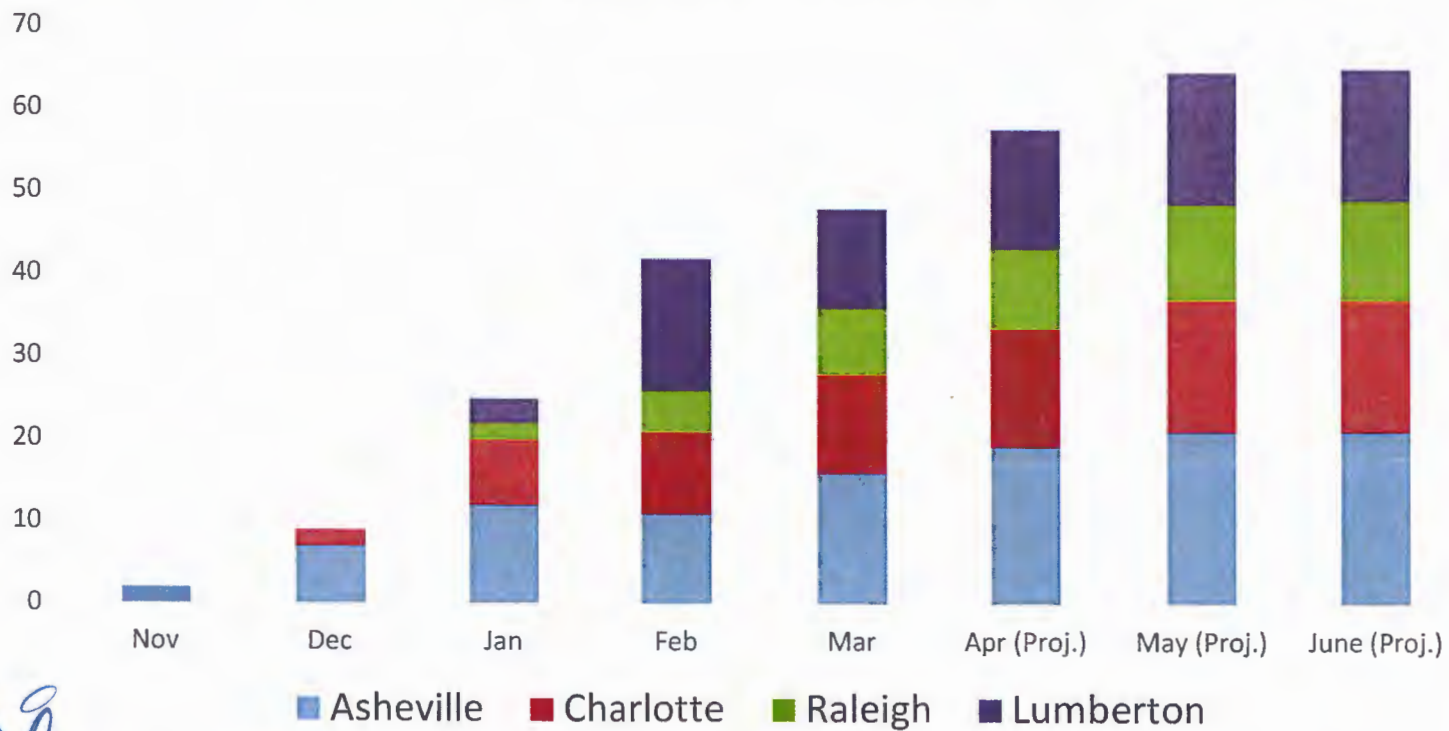
Large number of children 6-10 who are in need of service, but not eligible because of age.





# Current Angels Watch census is 132 children state wide

## Angel Watch Clients







## Family Successes

### SITUATION:

- With the death of their father, two Buncombe County children ages 9 months and 6 years old were faced with a grieving mother with new serious financial problems due to a lack of a job and mounting bills.



### INTERVENTION:

- Connecting with Angels Watch, the staff placed the two children in a home while helping the mom to find employment thru Workforce Development. The mother was also given a referral for counseling to deal with her own grief.

### OUTCOME:

- In a short time, she was successfully reunited with her children.



## Family Successes



### SITUATION:

- In Wake County, Angels Watch staff working with food banks and homeless shelters connected with a homeless family.
- Single father with two children ages 5 and 7, living in their car. Dad had been recently fired from work due to attendance issues.

### INTERVENTION:

- The children were placed in a safe home and returned daily to school. Angels Watch staff helped Dad to secure affordable housing and buy appropriate work clothing so he could obtain another job.

### OUTCOME:

- The children returned home and Dad is doing well at work.







# Q & A

Dave Hardesty, Chief of Program Services South  
[dhardesty@eckerd.org](mailto:dhardesty@eckerd.org)

Jenn Stout, Operations Director  
[jstout@eckerd.org](mailto:jstout@eckerd.org)







**House Committee on Homelessness, Foster Care, and Dependency**  
**Thursday, April 20, 2017 at 9:00 AM**  
**1228/1327 Legislative Building**

**Sergeant at Arms**

1. **David Leighton**
2. **Joe Crook**
3. **Russell Salisbury**





**House Committee on Homelessness, Foster Care, and Dependency**  
**Thursday, April 20, 2017 at 9:00 AM**  
**1228/1327 Legislative Building**

**MINUTES**

The House Committee on Homelessness, Foster Care, and Dependency met at 9:00 AM on Thursday, April 20, 2017 in Room 1228/1327 of the Legislative Building. Representatives Jordan, Terry, Autry, Black, Boswell, Clampitt, Graham, Insko, Lewis, Pierce, Quick, Stevens and Watford attended. Tawanda Foster and Wendy Graf Ray (Research Staff Counsel), along with Emma Benson (Committee Clerk) were in attendance. A Visitor Registration list is attached and made part of these minutes. (Attachment 1)

Representative Jonathan Jordan, Chair, presided. The chair called the meeting to order at 9:05 AM. He introduced the Sergeants at Arms. (Attachment 2) The following bills were presented:

*House Bill 630 and a bill summary are included. (Attachments 3 and 4)*

**HOUSE BILL 630: RYAN'S LAW/CPS OBSERVATION**

Chairman Jordan recognized Reps. Boles and McNeill to explain the bill.

House Bill 630 would require a county department of social services to observe a parent, guardian, custodian, or caretaker for whom allegations of child abuse, neglect, or dependency have been substantiated for a minimum number of visits before returning custody to that person.

Chairman Jordan recognized Pamela Reid, previous Guardian Ad Litem, to give an account of Rylan's case and speak in favor of the bill. (Attachment 5)

Chairman Jordan recognized Reps. Black, Terry, and Insko to provide discussion on the bill.

Chairman Jordan recognized Rep. Clampitt to make a motion for a favorable report on the bill. The motion carried.

*House Bill 608, a bill summary, and action map are provided. (Attachments 6, 7, and 8)*

**HOUSE BILL 608: FAMILY/CHILD PROTECTION & ACCOUNTABILITY ACT.**

Chairman Jordan announced that House Bill 608 would be available for discussion only at the request of Rep. Lewis.







Chairman Jordan recognized Reps. Stevens and Lewis to explain the bill.

House Bill 608 does the following: 1) Reforms the State child welfare system; 2) improves accountability and state oversight of the child welfare system; 3) requires the State to develop a plan for a regional system of social services departments; 4) establishes a child well-being transformation council to improve coordination, collaboration, and communication among child-serving agencies; 5) establishes a pilot program to help youth in substitute care obtain drivers licenses; 6) establishes a pilot program to authorize a waiver of the employment requirement for foster parents with children receiving intensive alternative family treatment; 7) reduces the time a parent has to appeal from a termination of parental rights order; and 8) reduces the time frame for foster care licensure approval.

Chairman Jordan recognized Reps. Black, Autry and Insko to provide discussion on the bill.

Chairman Jordan recognized Rep. Hugh Johnson from the County Commissioner Association, to speak against the bill.

There being no further business, Rep. Jordan adjourned the meeting at 9:49 AM.

---

Representative Jonathan Jordan, Chair  
Presiding

---

Emma Benson, Committee Clerk

#### Attachments

1. Visitor Registration Sheet
2. Committee Sergeants at Arms
3. House Bill 630
4. House Bill 630 Bill Summary
5. Pamela Reed Handout
6. House Bill 608
7. House Bill 608 Bill Summary
8. House Bill 608 Action Map



**House Committee on Homelessness, Foster Care, and Dependency**  
**Thursday, April 20, 2017, 9:00 AM**  
**1228/1327 Legislative Building**

**AGENDA**

**Welcome and Opening Remarks**

9:05 AM

Rep. Jonathan Jordan, presiding

**Introduction of Pages**

**Bills**

**BILL NO.    SHORT TITLE**

HB 608      Family/Child Protection &  
Accountability Act.

HB 630      Rylan's Law/CPS Observation.

**SPONSOR**

Representative Stevens  
Representative Lewis  
Representative Dollar  
Representative Jordan  
Representative Boles  
Representative Stevens  
Representative Rogers  
Representative McNeill

**Adjournment**

9:41 AM



## VISITOR REGISTRATION SHEET

HC on Homelessness, Foster Care, and Dependency 4/20/2017  
 Name of Committee Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Reginald O'Rourke	ASSOCIATE COUNSEL - GUARDIAN AD LITIG PROGRAM
Sharon Hirsch	Prevent Child Abuse NC
Tham Ma	C G A
Ken Niles	Bank
Hugh Johnson	NRAC
Martha Waggoner	Associated Press
JEFF COHEN	NM
Jamaila Pfister	Children's Home Society
Steve M. Hall	The Policy Group
Earl McKee	Orange County BOCC



## VISITOR REGISTRATION SHEET

HC on Homelessness, Foster Care, and Dependency 4/20/2017	
Name of Committee	Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME \_\_\_\_\_

FIRM OR AGENCY AND ADDRESS

LT McCrimmon

DTHLS

Peyton Mays

*Q*

Gene Royall

NCFPL

Judith M. Bennett

Office of Spent Budget & Mgmt





## Attachment 2

### Committee Sergeants at Arms

NAME OF COMMITTEE HC on Homelessness, Foster Care, and Dependence

DATE: 4/20/2017

Room: 1228/1327

### House Sgt-At Arms:

1. Name: David Leighton

2. Name: Joe Crook

3. Name: Russell Salisbury

4. Name: \_\_\_\_\_

5. Name: \_\_\_\_\_

### Senate Sgt-At Arms:

1. Name: \_\_\_\_\_

2. Name: \_\_\_\_\_

3. Name: \_\_\_\_\_

4. Name: \_\_\_\_\_

5. Name: \_\_\_\_\_



GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2017

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## HOUSE BILL 630

Short Title: Rylan's Law/CPS Observation.

(Public)

Sponsors: Representatives Boles, Stevens, Rogers, and McNeill (Primary Sponsors).

*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Homelessness, Foster Care, and Dependency, if favorable, Judiciary IV

April 10, 2017

## A BILL TO BE ENTITLED

AN ACT REQUIRING A COUNTY DEPARTMENT OF SOCIAL SERVICES TO OBSERVE A PARENT, GUARDIAN, CUSTODIAN, OR CARETAKER FOR WHOM ALLEGATIONS OF CHILD ABUSE, NEGLECT, OR DEPENDENCY HAVE BEEN SUBSTANTIATED FOR A MINIMUM NUMBER OF VISITS BEFORE RETURN OF CUSTODY TO THAT PERSON.

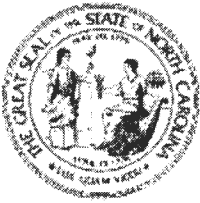
The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 7B-903.1(c) reads as rewritten:

"(c) If a juvenile is removed from the home and placed in the custody or placement responsibility of a county department of social services, the director shall not allow unsupervised visitation with or return physical custody of the juvenile to the parent, guardian, custodian, or caretaker without a hearing at which the court finds that the juvenile will receive proper care and supervision in a safe home. Before the county department of social services may recommend return of physical custody of the juvenile to the parent, guardian, custodian, or caretaker from whom the juvenile was removed, the county department of social services shall observe that parent, guardian, custodian, or caretaker with the juvenile for at least two successful visits and provide documentation of the successful visits to the court for its consideration. Each observation visit shall be conducted at least seven days apart. For purposes of this subsection, a "successful visit" shall consist of an observation of no less than one hour with the juvenile or juveniles subject to the abuse, neglect, or dependency present for the duration of each visit."

**SECTION 2.** This act is effective when it becomes law.





## HOUSE BILL 630: Rylan's Law/CPS Observation.

2017-2018 General Assembly

<b>Committee:</b>	House Homelessness, Foster Care, and Dependency. If favorable, re-refer to Judiciary IV	<b>Date:</b>	April 19, 2017
<b>Introduced by:</b>	Reps. Boles, Stevens, Rogers, McNeill	<b>Prepared by:</b>	Tawanda N. Foster
<b>Analysis of:</b>	First Edition		Committee Counsel

**OVERVIEW:** *House Bill 630 would require a county department of social services to observe a parent, guardian, custodian, or caretaker for whom allegations of child abuse, neglect, or dependency have been substantiated for a minimum number of visits before returning custody to that person.*

**CURRENT LAW:** G.S. 7B-903.1(c) states when a child is placed in custody or placement responsibility of a county department of social services the director must not allow unsupervised visitation with or return of physical custody to a parent, guardian, custodian, or caretaker without a hearing at which the court finds the juvenile will receive proper care and supervision in a safe home.

**BILL ANALYSIS:** This bill adds to current law an additional provision that the county department of social services may not recommend physical custody be returned to a parent, guardian, custodian or caretaker from whom a juvenile was removed, unless the department has observed that parent, guardian, custodian or caretaker with the juvenile for at least two successful visits and provides documentation of the successful visits to the court.

The "successful visits" must be at least seven days apart and must consist of an observation of at least one hour with the juvenile(s) subject to the abuse, neglect, or dependency being present for the duration of the visit.

**EFFECTIVE DATE:** This bill becomes effective when it becomes law.

Karen Cochrane-Brown  
Director



H 6 3 0 - S M T V - 1 8 E 1 - V - 1

Legislative Analysis  
Division  
919-733-2578





April 20, 2017

Good morning, respected members of the House Committee on Homelessness, Foster Care and Dependency.

My name is Pamela Reed and I was a Guardian Ad Litem (GAL) for 19 children in Moore County. I am no longer a GAL because I broke confidentiality in order to tell the story of Rylan Ott.

I was tasked to be the independent voice for Rylan in November of 2015, when he was 18 months old. Despite numerous documented red flags in the case, Child Protective Services (CPS) recommended trial placement. Unbeknownst to me at that time, no one from CPS, had ever observed this mother with her child prior to recommending trial placement to the judge.

As I observed significant injustices of how Rylan's case was being handled, I stepped down from this case after he was returned to his mother for trial placement.

Several short months later, Rylan wandered over a half a mile away from his home, and drowned, alone, in a pond. He was one month shy of his second birthday.

After Rylan's death, the Moore County DSS Board conducted an independent investigation into the handling of Rylan's case. The Director of the Agency astutely claimed that his agency had done nothing wrong. It was not required of anyone within CPS to observe a neglectful parent with their child before the child was returned to their care.

Please think about that for a moment: observing a family unit prior to trial placement is not required by law. This is after a judge has already determined that



abuse or neglect occurred. Yet that abusive parent never once need be observed with their child, before the child is returned to the home.

As a GAL, I assumed that someone, at some point in time, from CPS, was observing the abusive parent with his or her children prior to trial placement.

But I was wrong -- it simply is not required. It's "best practice" but it's not mandated. Because of privacy laws surrounding CPS, we have ZERO access to any data that would tell us how many of the parents involved in abuse and neglect cases have ever been observed with their children prior to reunification.

As a GAL, I also did not know that most child fatalities due to abuse and neglect in this country already had an open CPS case (according to the most recent report from the federal Commission to Eliminate Child Abuse and Neglect Fatalities). Over 80 percent of child death due to abuse and neglect already had been on CPS' radar -- just like Rylan. After Rylan died, Moore County DSS pledged to start observing family units together as part of each substantiated case. But we have no way of knowing if they are maintaining that self-imposed standard.

I am not unsympathetic that funding for CPS is woefully inadequate and that caseworkers have untenably high caseloads. But it is offensive to suggest that CPS -- as it is the first line of defense for abused children -- can provide an adequate safety net without ever being required to observe the family unit.

Rylan's Law would not fix a broken system, but it would strengthen it. It would close a loop hole so that the next child could be spared Rylan's fate. Until fundamental issues are addressed and fixed within DSS, we need Rylan's Law -- the children of North Carolina need it because it is common sense. Rylan's Law will provide a layer of protection by ensuring that families are being observed prior to reunification. When CPS has to observe a family for at least two successful



visits, the minors involved will gain a new level of security that is currently lacking, as evidenced by that heartbreaking statistic that over 80 percent of child fatalities due to abuse have already been on CPS' radar – and that security can be improved even with the cloak of privacy surrounding these cases.

Rylan's death has shed light on the deficiency with the current standard.

Rylan's death has the bittersweet possibility of closing this loop hole.

Rylan's death gives us the opportunity to give children a layer of security that has never before been mandated. It has no hard dollar cost and will take what DSS considers to be best practice and make it required by North Carolina state law. Every child deserves this best practice to be a pre-requisite to trial placement or reunification.

I pray that you as a committee will not allow Rylan's death to go unnoticed through your whole-hearted support of this effort. His short life will matter and will be the catalyst for improving the safety net that North Carolina provides for children like him. We need the common sense requirement that Rylan's Law would mandate.

Thank you for your time and your consideration.

Pamela J. Reed  
19 Princess Gate Drive  
Whispering Pines, NC 28327

pjoyreed@hotmail.com  
(910) 992-6929





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## **Our View: We need 'Rylan's Law,' and greater state oversight, too**

**Thursday**

Posted Mar 23, 2017 at 6:48 PM

The woman who brought painful change to Moore County's Department of Social Services says she's moving on to other challenges. Her work to reform DSS is done.

It appears she's right. Pam Reed, who was toddler Rylan Ott's Guardian ad Litem, has been an unstoppable force for reform in the months since Rylan wandered away from home and drowned in a pond last April. Reed believed the county failed to protect Rylan from the neglect that he experienced, and that Moore County's Department of Social Services programs to protect such children were dreadfully understaffed and poorly managed.

Reed's pressure on the DSS board was relentless. She showed up at nearly every board meeting, pressing for action and revealing more information about problems. She ignored some privacy rules because children's safety was more important, and DSS was unlikely to change without intense public scrutiny.

She was right. The scrutiny resulted in two investigations of DSS. We learned that Moore County had the highest turnover rate of child protective services workers in the state. We learned that morale was abysmal and that workers carried such outrageous caseloads that they couldn't possibly do an adequate job.

Moore DSS Director John L. Benton abruptly resigned on March 2, and the board quickly hired Laura Cockman as interim director. Cockman had worked previously with Moore DSS and the state Department of Health and Human Services. It appears she has gone right to work on repairing problems in her office.





Reed says it's time for her to move along to other quests, first among them being passage of what she calls "Rylan's Law." The measure before the General Assembly would require social workers to meet with parents for an hour at least twice before the courts can decide whether a child in foster care can be reunited with his family or stay in state custody. Failure to do that appears to be a key element in Rylan's death.

We hope, though, that the drive for reform doesn't stop there. In addition to inspiring a protective law, we hope little Rylan Ott's death also leads the state to improve its oversight of local children's protective services offices. What happened in Moore could happen in any other county as well.

As she stood before the DSS board on Wednesday, Reed asked, "How many other significant failures and omissions would be uncovered" if investigators scrutinized other cases? "Those children matter ... just as much as Rylan and his sibling. I pray you will use this opportunity to continue making improvements and changes on behalf of them all."

That should be a message to the General Assembly, not to just one county board. If ever there were a saga showing the urgency of greater state oversight, this is the one.







Erika Harris is bringing  
back the lost art of  
handwritten greetings.

SUNDAY LIFE

SUNDAY EDITION

SUNDAY, DECEMBER 18, 2016

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FORT BRAGG'S FALCON INN TO COMPETE FOR TITLE OF ARMY'S BEST DINING HALL

MILITARY, 1D

## BRIEF STANDOFF

Escaped  
inmate  
captured  
at store

■ Edward Moore had  
locked himself in a car  
with a woman and a  
sleeping baby.

By Monica Vendituoli  
and Steve DeVane

Staff writers

An inmate who escaped a Cumberland County deputy Wednesday was caught Saturday night in southwestern Fayetteville by U.S. marshals with help from the Cumberland County Sheriff's Office and Fayetteville Police Department.



Moore

Edward Moore, who freed himself three nights earlier despite a waist chain and shackles, was caught outside a convenience store at the intersection of Cumberland Road and Ireland Drive about 6:30 p.m., Damon Adams said. He's the supervisor of North Carolina U.S. marshals.

Moore, with numerous new charges, was jailed in the Cumberland County Detention Center. Bail was set at \$1 million.

A brief standoff with the 39-year-old, who was with a woman and a baby in a Ford Five Hundred, ended with the driver's side window — where Moore sat — being busted by a marshal using a fireman's ax from atop the car. The baby slept through the whole incident, Adams said.

A woman at the convenience store who asked not to be identified said she saw the capture. She said law enforcement officers were trying to negotiate with Moore.

"They were trying to reason with him," she said.

Adams said he used a bull-horn trying to talk with Moore. Even when lawmen climbed atop the car, the woman said, "He still did not get out of the car."

About 40 people gathered near the store to watch, she said, as officers eventually pulled Moore out of the car and piled on top of him, she said.

Adams said he pleaded with Moore.

"I kept repeating, 'Let the baby go. Let the young lady go,'" Adams said.

The negotiation lasted about 15 to 20 minutes, Adams said. Once they broke the window, marshals opened the door, shot Moore with a Taser and removed him from the car.

See INMATE, Page 5A

## 'EVERY KID DESERVES A SAFE AND PERMANENT HOME'



Staff photo by Andrew Craft

Pam Reed was the Guardian Ad Litem for Rylan Ott, the toddler who drowned in a pond in April.

A VOICE  
FOR RYLAN

One year after the toddler was returned to his mother's care, former Guardian Ad Litem Pam Reed says there aren't enough answers from Moore County DSS.

By Greg Barnes

Staff writer

## WHISPERING PINES

Rylan Ott was returned to his mother a year ago. It's also been a year since Pam Reed quit her volunteer job as a Guardian Ad Litem.

A judge restored Rylan to his

mother's custody in December 2015. He died in April, two weeks shy of his second birthday, when he wandered away from his home near Carthage and drowned in a pond.

His mother, Samantha Nacole Bryant, remains in the Moore County jail, awaiting trial on charges of involuntary



Contributed photo

Rylan Ott was two weeks shy of his second birthday when he died

See RYLAN, Page 4A

## 4A CHAMPIONSHIP

Colts'  
streak,  
dreams  
dashed

An estimated  
6,000 Cape Fear  
football fans  
endure their  
team's struggles.

By Michael Futch

Staff writer

RALEIGH — Devastated.

That was the choice word : couple of Cape Fear High School fans used to describe the opening half of a 54-

**INSIDE** loss to Greensboro Dudley in the N.C. High School Athletic Association 4-state football championship Saturday night.

At that point the Colts trailed 34-0.

Devastated by the score, Rashad Bessey, 34, of Hope Mills said from the stands at intermission. "Totally in shock of the score."

"I'm devastated," 37-year-old Jason Watkinson of Eastover concurred. "This has been the longest first half of football I've ever seen in my life. I'm hoping the second half they'll turn over a new life."

Fate can be cruel, and that turn was not to be in this historical first title game appearance for the previously undefeated Cape Fear football team.

An estimated turnout of about 6,000 Colts supporters inside Carter-Finley Stadium started to thin out early as the second half progressed. The final margin was achieved by the end of the third period, leaving a humbling score for the Colt Nation and its legacy-setting team.

Jada McLeod, 16, and a member of the Cape Fear Marching Band, expressed surprise at how the game had evolved.

But the band, as Jada noted, would play on.

"You have to do the best no matter what," she said. "I'll be a little disappointed, but they've had a good season."

A monumental season, actually, winning 15 straight and league title before facing the Panthers.

Earlier in the day there had been so much hope for the crowd, a group residing mostly east of the river. Some Colts fans even spoke of a blowout — only, the other way around.

Before the game, scattered throughout the adjacent parking lots were throngs of these Cape Fear High School supporters.

See CAPE FEAR, Page 5



# Rylan: Reed says she had good relationships with kids she served; many called her a guardian angel

From Page 1A

manslaughter and felony child abuse.

Reed is now a stay-at-home mom who left her Guardian Ad Litem position in protest and won't let Rylan's memory fade.

She can't. The guilt is overwhelming.

As a Guardian Ad Litem, it was Reed's job to help protect Rylan, to serve as liaison between the Moore County court system and the Department of Social Services. It was Reed's job to give the boy a voice, to make his struggle heard.

Only no one listened.

Reed tried to tell a judge that Bryant wasn't fit to be a mother. Bryant twice had threatened to kill herself after a drunken fight Oct. 25 involving her boyfriend at her doublewide trailer off a dirt path in the woods. Reports said that guns were present.

That's the day DSS and other officials took Rylan and his older sister away and had their mother placed in a psychiatric ward. A few days later, the children were assigned kinship parents, Shane and Amanda Mills of Fort Bragg.

Reed joined the case shortly afterward.

She hasn't kept quiet since.

"I'm going to keep going until something good has come out of this situation," Reed said. "Something good has to come out of Rylan's death. I refuse to accept that nothing good will come out of it."

■ ■ ■  
Pam Reed is a petite woman with dancing blue eyes, long brown hair and a complexion that belies her 48 years.

She graduated magna cum laude from the University of Michigan in 1990 and eventually found herself married to an Army Ranger and living in a big brick house in Whispering Pines.

Long before all of that, though, she was a foster child whose biological parents gave her up for adoption shortly after birth.

Reed grew up with her adoptive parents — a preacher and a preschool teacher — in rural southwestern Michigan.

It was a good, comfortable childhood, Reed said, but one left with an unfilled need to meet her biological parents.

That need led an 18-year-old Reed to the adoption agency that had placed her. There, she found a letter in which her biological parents had agreed to reveal themselves should their daughter ever come calling.

Shortly afterward, Reed said, she met her mother on the steps of the Union building at the University of Michigan.

"I had envisioned this glamorous version of myself," she said.

Instead, Reed found her mother dressed like a flower child of the '60s more than 20 years after the fact.

Her father, she would quickly learn, worked in a steel mill in Georgetown, South Carolina.

Reed said her parents reunited and remarried after she discovered them. She remains especially close to her father, now an author, and her three sisters.

Reed believes her abilities and drive came as a genetic gift from her biological parents; her sense of right and wrong from the religious, adoptive side.

Reed also believes that her adoption filled her with empathy for children living in foster homes. That empathy led her to become a paid coordinator of hospice volunteers, and, at the same time, as a volunteer for Guardian Ad Litem.

And that led her to Rylan Ott.

■ ■ ■  
Rylan's temporary parents, Shane and Amanda Mills, didn't like the boy's



Staff photo by Andrew Craft

Pam Reed, who was the Guardian Ad Litem for Rylan Ott, is now a stay-at-home mom who left her Guardian Ad Litem position in protest after Rylan was placed back into his mother's custody. Rylan died in April.

**'I'm going to keep going until something good has come out of this situation. Something good has to come out of Rylan's death. I refuse to accept that nothing good will come out of it.'**

— Pam Reed

mother from the start.

Bryant, who had been given visitation rights, showed up late for the first visit and screamed and said hurtful things to her daughter during subsequent visits, Shane Mills said.

The situation became so untenable, the Millses say, that they asked to end Bryant's visitation rights.

About two weeks after Rylan was assigned to live with the Millses, Bryant went to court thinking the judge would reunite her with her children. When that didn't happen, Bryant threatened suicide for the second time, Reed said.

A month later, on Dec. 17, Bryant was in court again. Reed and the Millses were there, too. They pleaded for Judge Scott C. Etheridge to find Bryant unfit to be a mother. At the least, Reed told Etheridge, make Bryant undergo a series of psychological tests before reuniting her with Rylan.

Reed and Shane Mills say they tried to give Rylan a voice, but they were struck down at every attempt by Ward Medlin, the DSS lawyer. Medlin won't discuss the case, saying doing so would violate privacy laws. He wants to talk, he said, but he can't.

Etheridge has said the evidence provided during the hearing met minimum safe standards required by the state before a child in DSS custody can be

returned to his family. In North Carolina, the goal is for reunification whenever it can be demonstrated that the children will be safe.

Etheridge gave custody of Rylan back to his mother and sent her daughter to live in a therapeutic foster home.

Afterward, Reed said, the DSS social worker who had been assigned to Rylan told her that reunification would not have been her recommendation.

The social worker had worked for Moore County DSS less than two months when she got handed the case. Around that time, DSS was experiencing one of the highest social worker turnover rates in the state.

On top of that, Reed said, the woman who oversaw the social worker told Reed's supervisor that the financially strapped

DSS did not want to drive 45 minutes to the Millses' home on Fort Bragg to visit Rylan, which would have been required under state law.

In other words, I said, Rylan's death boiled down to a matter of money, resources and convenience.

■ ■ ■  
Almost every month since Rylan died, Pam Reed has gone before the Moore County DSS board, a determined woman demanding that Rylan's death not be in vain.

As politely as she could, Reed has routinely bashed Medlin, the DSS lawyer, and John L. Benton, its director.

"The truth is that the agency failed Rylan Ott and now he's dead," Reed told the board at one meeting.

In June, the board announced that it would have Durham County's DSS investigate Rylan's death and Moore County's handling of the case. That investigation was completed months ago but hasn't been made public.

Reed was never pleased with the board's decision to have another DSS agency handle the investigation.

"That's like me calling my cousin and saying, 'Hey, would you come and take a look at this?'" she said after the June board meeting.

She urged the board to conduct an independent investigation.

In August, Reed gathered her supporters for a silent protest before the start of the DSS monthly meeting. Reed and about 20 others lined a wall and held posters filled with pictures of Rylan.

When the meeting started, the board quickly called for the independent investigation. The board has selected three people to conduct the investigation, which is expected to begin soon and last no more than 30 days.

One of the three chosen — Daniel Beerman — is a retired child welfare director for Forsyth County who has ties to the North Carolina chapter of the National Association of Social Workers. The other two — Laura Cockman and David Lambert — are Moore County residents.

Benton said during the August meeting that DSS

probably could have done more to ensure Rylan's safety, but it followed state guidelines and did nothing wrong.

That pronouncement continues to infuriate Reed, who is taking her battle to the state level.

On Nov. 17, Reed made an uninvited visit to a Moore County funeral home owned by state Rep. Jamie Boles. Reed said she had called and emailed Boles' legislative office to set up an appointment, but he never responded.

So she just showed up on his doorstep, and waited and waited. Three hours later, Reed said, Boles led her into his office. Reed said she got a lukewarm reception, and a promise from Boles to look into the matter further.

Boles said he has another business besides being a lawmaker.

"She showed up and wouldn't leave until I came off a funeral. That's my profession," Boles said. "Yes, we do have a career, and we try to get back as soon as we can with our constituents."

He didn't say why Reed's messages went unreturned.

Reed is asking Boles for help getting the General Assembly to pass what she calls "Rylan's Law," a measure that would require DSS social workers to spend at least an hour observing a parent or parents with their children before the courts decide whether reunification is in everyone's best interest.

Reed thinks such a law could have saved Rylan's life. The social worker in his case never spent time with Bryant and her children before the judge ruled for reunification.

Reed called her proposed law a Band-Aid

for a much larger problem that looms within DSS offices in Moore County and across the state.

Boles said last week that he would support Rylan's Law and vowed to meet with other state lawmakers after the new year to get their views and decide how to proceed.

■ ■ ■  
Rylan Ott's case and Pam Reed's persistence have yet to resonate outside of Moore County, said Michelle Hughes, executive director of NC Child, an advocacy organization based in Raleigh.

But changes are coming to a statewide DSS system that is plagued with systemic problems, said Hughes, a member of the N.C. Child Fatality Task Force.

The changes are tied to reports — one federal and one state — that paint an ugly picture of child

protective services in North Carolina.

The state report, released in March, stems from a Union County case in which an 11-year-old boy was found handcuffed to his porch with a dead chicken tied around his neck in 2013. The boy's foster parents, including a woman who worked as a DSS supervisor, were convicted of child abuse in 2015.

The case led the state to allocate nearly \$12 million to child welfare initiatives, including \$700,000 for a statewide evaluation of the state's child protective services system.

That evaluation was released in March. Among its findings were that only about half of DSS offices in North Carolina's 100 counties met state guidelines calling for child welfare investigators to have no more than 10 open cases at a time.

To combat that problem, the state allocated \$12.3 million in additional funding in fiscal 2015 and 2016 for caseload reductions, but the money was distributed to only 30 counties, according to North Carolina Health News.

The report also cited low salaries for caseworkers, especially in rural counties, a need for better training, an antiquated paper recording system, a lack of communication between DSS agencies and other problems.

The legislature responded by providing a one-time allocation of \$8.5 million for child welfare services.

Of that money, \$4.7 million will be spent to expand the Family Prevention Services program, a service for families of children at risk of being taken from the home. About \$2.3 million will go toward case worker

and supervisor training and family support services. The remaining \$1.5 million will be spent on a parenting program.

But child advocates still question whether enough money is being spent.

"A one-time allocation is never going to make substantial improvements because it's not sustainable," said Donna Fayko, head of Rowan County's DSS and first vice president of the N.C. Association of County Directors of Social Services.

It appears that it will take much more money to fix the problems cited in a months-long federal evaluation of child welfare services that was completed this year.

The federal Child and Family Services Review found that the state did not meet standards in any of the seven outcomes it

measured, scoring lower than almost every other state. NC Child called the performance "dismal."

The federal findings came with the threat of a \$1.7 million penalty if the state did not make and implement an improvement plan.

The state responded with a lengthy plan that spells out problem areas and goals to fix them, including increased training and better safety-protection measures, in-home family services, quality assurance, court engagement and technical assistance.

The state has submitted the plan to the federal government, which has not yet approved it, said Murphy, a spokeswoman for the Department of Health and Human Services. Murphy said the state will start implementing the plan as soon as it's approved. Full implementation is expected to take about two years, she said.

■ ■ ■  
Pam Reed spent three years as a volunteer for Guardian Ad Litem. When she left, she said, she asked her supervisor whether she could step down from Rylan's case under protest and still remain with the program.

The answer, she said, was no.

Reed isn't sure leaving the program was the right decision. She wonders whether Rylan might still be alive had she stayed.

Reed said she had a good relationship with the children she served. Many called her their guardian angel.

"That's a big privilege, and it's a big responsibility," she said.

Reed plans to return to

the DSS board meeting this week. She will remind board members about their pledge for transparency, which she believes has been lacking.

"Every kid deserves a safe and permanent home, and DSS failed Rylan on that front," Reed said.

She wants to know why and what is being done to ensure that it never happens again.

Reed also plans to start knocking on doors of sympathetic lawmakers early next year to push them to sponsor Rylan's Law.

She admits to being naive about the legislative process, but she's determined to find out.

"I need to keep going until my marching orders say that's enough," she said. "I'm not there yet."

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GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2017

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## HOUSE BILL 608\*

Short Title: Family/Child Protection & Accountability Act. (Public)

Sponsors: Representatives Stevens, Lewis, Dollar, and Jordan (Primary Sponsors).  
*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Homelessness, Foster Care, and Dependency, if favorable, Appropriations

April 10, 2017

## A BILL TO BE ENTITLED

AN ACT TO REFORM THE CHILD WELFARE SYSTEM IN THIS STATE; IMPROVE ACCOUNTABILITY AND STATE OVERSIGHT OF THE CHILD WELFARE SYSTEM; REQUIRE THE STATE TO DEVELOP A PLAN FOR A REGIONAL SYSTEM OF SOCIAL SERVICES DEPARTMENTS; ESTABLISH A CHILD WELL-BEING TRANSFORMATION COUNCIL TO IMPROVE COORDINATION, COLLABORATION, AND COMMUNICATION AMONG CHILD-SERVING AGENCIES; ESTABLISH A PILOT PROGRAM TO HELP YOUTH IN SUBSTITUTE CARE OBTAIN DRIVERS LICENSES; ESTABLISH A PILOT PROGRAM TO AUTHORIZE A WAIVER OF THE EMPLOYMENT REQUIREMENT FOR FOSTER PARENTS OF CHILDREN RECEIVING INTENSIVE ALTERNATIVE FAMILY TREATMENT; REDUCE THE TIME FRAME A PARENT HAS TO APPEAL FROM A TERMINATION OF PARENTAL RIGHTS ORDER; AND REDUCE THE TIME FRAME FOR LICENSURE APPROVAL REGARDING FOSTER CARE.

Whereas, the children and families involved in North Carolina's child welfare system are among our most vulnerable children and most fragile families; and

Whereas, the recent federal Child and Family Services Review (CFSR) and the North Carolina Statewide Child Protective Services Evaluation of the State's Child Protective Services (CPS) program identified troubling gaps and flaws in North Carolina's child welfare system that are allowing too many of those vulnerable children and fragile families to fall through the cracks; and

Whereas, transforming the child welfare system to better ensure the safety, permanency, and well-being of children and families is the right thing to do; and

Whereas, county social services agencies are facing significant resource and administration challenges in areas other than child welfare, such as public assistance and adult services; and

Whereas, a recent audit by the North Carolina State Auditor of Medicaid eligibility determinations by county departments of social services concluded that most of the county departments reviewed in the audit did not consistently meet standards for timeliness and accuracy; and

Whereas, a recent report by the Program Evaluation Division reached similar conclusions regarding county administration of Medicaid eligibility determinations; and

Whereas, North Carolina's Aging Services Plan and a recent report on Alzheimer's and related dementias by the North Carolina Institute of Medicine emphasize the tremendous



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1 growth of the aging population and anticipate relying heavily on social services agencies to  
2 support the needs of this population; and

3       Whereas, it has been challenging for the State to effectively supervise  
4 administration of complex social services programs in 100 counties and it would be more  
5 efficient and effective for the State to supervise fewer local agencies; and

6       Whereas, it is our charge to spend public dollars wisely and effectively on  
7 administration of public assistance; and

8       Whereas, for the aforementioned reasons, North Carolina requires a plan of action to  
9 systematically reform the child welfare system and reduce the number of departments of social  
10 services to allow for better supervision and administration of social services programs; Now,  
11 therefore,

12 The General Assembly of North Carolina enacts:

13  
14 **PART I. REGIONAL SOCIAL SERVICES DEPARTMENTS; WORKING GROUP**

15       **SECTION 1.1.** Transition to Regional Social Services Departments. – The  
16 Department of Health and Human Services (Department) shall develop a plan for regional  
17 organization, administration, and governance of the social services system in North Carolina.  
18 The plan shall recommend a system of public authorities that includes no more than 30 regions  
19 and is operational no later than January 1, 2022. The plan will have the effect of transforming  
20 North Carolina's State-supervised, county-administered system into a State-supervised,  
21 regionally administered system. It is essential that the plan reflect the interests of all  
22 stakeholders involved with the current system. The Department shall develop a preliminary  
23 plan and a final plan as follows:

24       (1) Preliminary plan. – The Department shall prepare a preliminary plan that  
25 incorporates recommendations submitted to the Department by the Social  
26 Services Regionalization Working Group created under Section 1.2 of this  
27 act. In developing the preliminary plan, the Department shall implement a  
28 process for soliciting stakeholder input on the plan. The Department shall  
29 submit the preliminary plan to the Joint Legislative Oversight Committee on  
30 Health and Human Services by January 15, 2019.

31       (2) Final plan. – The Department shall revise the preliminary plan to incorporate  
32 changes based on information it receives from stakeholders. The final plan  
33 shall include a proposed time line for completing the transition to a regional  
34 social services system by January 1, 2022. The Department shall submit the  
35 final plan to the Joint Legislative Oversight Committee on Health and  
36 Human Services (Committee) by March 31, 2019. If the Department fails to  
37 submit a final plan to the Committee by March 31, 2019, then the  
38 Committee shall proceed with developing its own plan for regionalization.

39       **SECTION 1.2.(a)** Social Services Regionalization Working Group. – The School  
40 of Government at the University of North Carolina at Chapel Hill (SOG) shall convene a Social  
41 Services Regionalization Working Group (Working Group) to make recommendations to the  
42 Department regarding the preliminary plan for regionalization.

43       **SECTION 1.2.(b)** Composition. – The Working Group shall consist of the  
44 following members:

45       (1) Three members of the Senate upon recommendation of the President Pro  
46 Tempore of the Senate, one of whom shall be designated as a cochair.

47       (2) Three members of the House of Representatives upon recommendation of  
48 the Speaker of the House of Representatives, one of whom shall be  
49 designated as a cochair.

- (3) Three representatives from the Department of Health and Human Services upon recommendation of the Secretary of Health and Human Services, or the Secretary's designee.
- (4) One designee of the Chief Justice of the North Carolina Supreme Court.
- (5) Four county commissioners representing the North Carolina Association of County Commissioners, each of whom shall represent different regions of the State.
- (6) Two representatives from the North Carolina Association of Directors of Social Services.
- (7) One representative from the North Carolina Association of Social Services Attorneys.

**SECTION 1.2.(c)** Ad Hoc Subcommittees. – The cochairs may, at their discretion, establish ad hoc subcommittees involving experts and representatives of stakeholder organizations to provide information and offer recommendations related to their areas of expertise and interest. Experts and organizations may include:

- (1) Social Services Commission.
- (2) North Carolina Association of County Boards of Social Services.
- (3) Guardian ad Litem program.
- (4) Office of Indigent Defense Services.
- (5) North Carolina Partnership for Children, Inc.
- (6) Disability Rights of North Carolina.
- (7) Benchmarks NC.
- (8) North Carolina Association of Local Health Directors.
- (9) North Carolina Council of Community Programs.
- (10) North Carolina Emergency Management Association.
- (11) North Carolina Child Support Council.
- (12) North Carolina Pediatric Society.
- (13) AARP North Carolina.
- (14) County commissioners representing jurisdictions that have diverse geographic, socioeconomic, and demographic characteristics.
- (15) Directors and administrators of consolidated human services agencies.
- (16) Other experts or stakeholders identified by the cochairs.

**SECTION 1.2.(d)** Duties. – The Working Group shall develop recommendations for the regionalization plan required by Section 1.1 of this act. At a minimum, the recommendations shall:

- (1) Focus on the need to improve service delivery, enhance the quality of services provided, increase efficiency and accuracy, and promote uniformity of service availability and delivery across the State.
- (2) Specify the services a regional agency would be required and authorized to provide and the functions it would be required and authorized to perform.
- (3) Identify factors to consider when establishing the size of the regions, including (i) the need to ensure that the size of the region allows the region to maintain a direct, local connection with the jurisdictions it serves and (ii) the cultural differences and similarities between regions.
- (4) Propose a regional system that provides for centralized administrative operations that are geographically located in one county, but preserves a physical presence for delivery of social services in every county served by the region.
- (5) Strive to align the new regions with both county borders and judicial districts in order to ensure seamless connections between child welfare, adult protective services, child support enforcement, and the judicial system.

- (6) Consider the implications of making the regional agencies public authorities, as defined in G.S. 159-7(10), and identify policy and administrative issues that would need to be addressed in legislation when creating the authorities.
- (7) Identify one or more options for maintaining county contributions to social services programs at appropriate levels to ensure adequate services are available throughout the region and each county in a region is financially accountable for the proportion of services provided in that county.
- (8) Propose a governance structure for the regional agencies that, at a minimum, requires a governing board, outlines the process for appointing board members, and requires at least one county commissioner from each county within the region to serve on a governing board.
- (9) Propose powers and duties of the governing board, which shall include the authority to hire and supervise the director of the regional agency.
- (10) Consider the leadership needs for the regional agencies, including the minimum qualifications for the agency director, as well as the necessary powers and duties of the director.
- (11) Propose safeguards to ensure that the regional agencies maintain effective working relationships with the other human services agencies and stakeholders serving the same counties.
- (12) Consider the implications of having personnel of the regional agencies exempt from or subject to Chapter 126 of the General Statutes.
- (13) Consider the implications of regionalization of social services for counties that have established consolidated human services agencies pursuant to G.S. 153A-77 and explore options for integrating regionalized administration into the framework of consolidated agencies, granting exemptions to regionalization for consolidated agencies, authorizing regional consolidated human services agencies, and reversing consolidations.

**SECTION 1.2.(e)** Report – The Working Group shall submit an interim report to the Joint Legislative Oversight Committee on Health and Human Services (Committee) no later than June 30, 2018. After receiving the interim report, the Committee may terminate the Working Group if it concludes that the Working Group is not making sufficient progress. The Working Group shall submit a final report, including its recommendations in accordance with subsection (c) of this section, to the Committee and the Department of Health and Human Services by December 1, 2018.

**SECTION 1.2.(f)** Role of the School of Government. – The School of Government at the University of North Carolina at Chapel Hill shall assist the Working Group as follows:

- (1) Convene and facilitate meetings.
- (2) Provide necessary clerical and administrative support.
- (3) Prepare the Working Group's preliminary and final reports.
- (4) Provide technical assistance, as appropriate.

**SECTION 1.3.** SOG Funds. – There is appropriated from the General Fund to the School of Government at the University of North Carolina at Chapel Hill the sum of forty-eight thousand four hundred dollars (\$48,400) for the 2017-2018 fiscal year and the sum of twenty-five thousand seven hundred dollars (\$25,700) for the 2018-2019 fiscal year for its role in assisting in developing the regionalization plan under Section 1.2 of this act.

**SECTION 1.4.** Working Group Funds. – There is appropriated from the General Fund to the Department of Health and Human Services the sum of thirty-eight thousand thirty-nine dollars (\$38,039) for the 2017-2018 fiscal year and the sum of sixteen thousand three hundred three dollars (\$16,303) for the 2018-2019 fiscal year for reimbursement costs associated with duties of the Working Group.

**SECTION 1.5.** Sections 1.3 and 1.4 of this act become effective July 1, 2017.



**PART II. REFORMING STATE SUPERVISION AND ACCOUNTABILITY OF THE STATE'S CHILD WELFARE SYSTEM**

**SECTION 2.1.(a)** The Office of State Budget and Management, in consultation with the Department of Health and Human Services, shall develop and issue a request for proposal (RFP) no later than January 15, 2018, to contract with a third-party organization to evaluate the State's child welfare system, develop a plan for reforming the system in order to improve outcomes for children and enhance State supervision of local administration, and provide ongoing evaluation and oversight of the agency's implementation of child welfare reform. In developing the implementation plan, the organization shall engage the services of national technical advisors with broad expertise and experience in implementing large-scale, systemic child welfare reform. The organization, along with national technical advisors, shall undertake a comprehensive, diagnostic assessment of the State's child welfare system, including its points of contact with other child-serving State systems, and develop a plan for reforming the system to include, at a minimum, the following child welfare activities:

- (1) Child Protective Services (CPS), including receiving reports and investigating allegations of child abuse, neglect, or dependency.
- (2) Preventive and in-home services that provide struggling families with needed supports and treatment to prevent removal of the children from the home.
- (3) Placement of children in foster care and other out-of-home settings.
- (4) Services provided to children, youth, and parents involved with child welfare to achieve reunification of families.
- (5) Efforts to achieve permanency for children either through reunification with family, legal guardianship or custody, or adoption.
- (6) Provision of health care, mental health, and educational services to children and families involved with the child welfare system.
- (7) Services provided to older youth in foster care and to those who have aged out of foster care.

**SECTION 2.1.(b)** In addition to the requirements under subsection (a) of this section, the child welfare reform plan shall propose critical changes, as needed, to the major structural components of the State's child welfare system, including each of the following:

- (1) Visioning and an overarching strategic direction for the Department of Health and Human Services, Division of Social Services.
- (2) Collection, analysis, and effective use of data.
- (3) Leadership and governance at the State level.
- (4) Changes necessary to ensure well-trained and adequately compensated staff to improve performance and reduce turnover.
- (5) Practice and implementation, including:
  - a. Ensuring a statewide, trauma-informed, culturally competent, family-centered practice framework.
  - b. Incorporating more evidence-based practices, including evidence-informed prevention services designed to reduce the number of children entering foster care.
  - c. Specifying expectations regarding professional development, training, and performance standards.
  - d. Eliminating unnecessary barriers to licensing foster care and therapeutic foster care families to ensure an adequate supply of qualified families.

- e. Improving provider and foster parent feedback loops. For purposes of this sub-subdivision, "feedback loops" refers to a situation in which a portion of the output of a situation is used for new input.
  - f. Performing time use and salary surveys for Division of Social Services staff.
  - g. Promoting relationship-building across agencies and providers.
  - h. Implementing family supports for adoptions, which includes (i) collecting data on the incidence of disrupted adoptions and unlawful transference of children in North Carolina, (ii) the outcomes for children and families associated with disrupted adoptions, and (iii) the provision of supports needed to assist families at risk of disruption in order to keep those families together.
  - i. Maintaining sibling groups, in accordance with the "Fostering Connections to Success and Increasing Adoptions Act of 2008."
  - j. Developing a statewide, standardized functional assessment to be used for case planning, service referrals, and to enhancing executive-level decision making around resource allocation and other system reform efforts.
- (6) Consistent, standardized continuous quality improvement (CQI) at the State and county levels.
  - (7) Analysis and alignment of policies and procedures to support and accelerate system reform, focusing on sustainable change that will improve outcomes for children and families.

**SECTION 2.1.(c)** In developing the child welfare reform plan pursuant to this section, the organization shall do each of the following:

- (1) Ensure the plan complies with the requirements of the federal Child and Family Services Review Program Improvement Plan effective January 1, 2017.
- (2) Consult with the Social Service Regionalization Working Group on the development of the regionalization plan and offer recommendations appropriate to align the regionalization plan with the child welfare reform plan.
- (3) Review the program for corrective action under G.S. 108A-74, as amended by Section 3.1 of this act, and offer any recommendations necessary to align the corrective action program with the child welfare reform plan.

**SECTION 2.1.(d)** The child welfare system reform effort described in this act shall also include the creation of a Child Welfare System Transparency and Wellness Dashboard (Dashboard) that will collect data from the North Carolina Families Accessing Services through Technology (NC FAST) system. The Dashboard shall serve as a report card and include regular reports of the components described under subsection (b) of this section and be continuously updated to allow for monitoring by State leadership, staff and families involved in the child welfare system, and the general public to ensure maximum accountability and transparency and the effective and efficient use of child welfare services and funds. Specifically, the Dashboard shall address the data issues highlighted in the Child and Family Services Review (CFSR) and the North Carolina Statewide Child Protective Services Evaluation of the State's Child Protective Services system dated March 1, 2016, to ensure the provision of accurate federal reporting and improved case management, continuous quality improvement (CQI), and overall improved outcomes for children and families. The Division of Social Services shall post data from a department of social services' report card on the Division's Web site, and the data shall be updated to ensure accurate reporting. For purposes of this section, the term "Dashboard"



means a standard set of performance and outcome metrics that indicate how effectively the child welfare system is working.

**SECTION 2.1.(e)** The following reporting and implementation requirements shall occur:

- (1) The Office of State Budget and Management (OSBM) shall report to the Joint Legislative Oversight Committee on Health and Human Services (Committee) upon hiring an organization to develop the child welfare reform plan pursuant to this section.
- (2) OSBM shall include in the contract clear direction that time is of the essence and failure to perform within the required time line constitutes breach of contract. OSBM shall also include a provision in the contract authorizing it to terminate the contract without financial penalty to the State if OSBM, in consultation with the Committee, determines that progress on development of the child welfare reform plan is unsatisfactory.
- (3) The organization shall submit a preliminary report to the Committee no later than 180 days after the contract is finalized. The preliminary report shall set forth the organization's vision for developing the child welfare reform plan. After that report is submitted, the organization shall submit bimonthly reports to the Committee on the progress of development and implementation of the child welfare reform plan.
- (4) The Department shall collaborate with the organization to implement the child welfare reform plan. The Department shall submit a report to the Committee no later than September 15, 2019. The report shall describe progress made on implementation to date, implementation plans and time lines for the subsequent 24 months, and a summary of significant challenges encountered during implementation.
- (5) The Department shall conduct a comprehensive review of every policy published by the Department related to child welfare. The Department shall revise existing policies and adopt new policies as necessary to align departmental guidance with the law as well as the systemic, policy, and practice changes resulting from both regionalization of the social services system and child welfare reform. The Department shall consult with agency attorneys and the School of Government at the University of North Carolina at Chapel Hill to confirm that each policy is authorized by statute or regulation. Prior to finalizing each policy, the Department shall provide the policy to the outside organization for review. The outside organization shall monitor the implementation of the policy review and revision process and submit bimonthly reports to the Committee beginning no later than September 15, 2019.

**SECTION 2.2.(a)** There is appropriated from the General Fund to the Department of Health and Human Services, Division of Social Services, the sum of three million one hundred thousand dollars (\$3,100,000) in nonrecurring funds for the 2018-2019 fiscal year to implement the provisions of Section 2.1 of this act.

**SECTION 2.2.(b)** This section becomes effective July 1, 2017.

### **PART III. LOCAL DSS; CORRECTIVE ACTION**

**SECTION 3.1.** G.S. 108A-74 reads as rewritten:

**"§ 108A-74. County-Local department failure to provide services; meet required standards in child welfare; corrective action; State intervention in or control of service delivery.**



(a) Notwithstanding any other provision of law to the contrary, the Secretary of Health and Human Services may take action in accordance with this section to ensure the delivery of child welfare services in accordance with State laws and applicable rules. As used in this section, the terms following definitions shall apply:

- (1) "County department of social services" also means the Department of social services. – The department responsible for administration of the social services and public assistance programs in a county. It includes a county department of social services, a consolidated human services agency, or a regional social services department, whichever applies; applies.
- (2) "County director of social services" also means the Director of social services. – The person responsible for managing and administering the department of social services, including a county social services director, a regional social services director, or a human services director, whichever applies; and applies.
- (3) "County board of social services" also means the Board of social services. – The governing body responsible for oversight of the department of social services, a regional board of social services, a consolidated human services board, or a board of county commissioners that has assumed the powers and duties of a social services governing board pursuant to G.S. 153A-77(a), whichever applies.
- (4) Child welfare program. – Protective services related to juveniles alleged to be abused, neglected, or dependent as required by Chapter 7B of the General Statutes and includes the placement of children in substitute care.

(a1) The Secretary shall develop a standard set of performance and outcome metrics for child welfare services. Departments of social services shall satisfy mandated performance requirements that are based on those metrics.

(a2) If a department of social services fails to meet the performance requirements for three consecutive months or for five months within any consecutive 12-month period, the Secretary and the department of social services shall enter into a joint corrective action plan within 60 working days. The plan shall specifically identify each of the following components:

- (1) The duration of the joint corrective action plan, not to exceed 12 months. If the Secretary determines that the department of social services has not shown measurable progress within six months, the Secretary may summarily conclude that the department of social services has failed to successfully complete a joint corrective plan and may proceed with steps necessary to temporarily assume administrative responsibilities of the department of social services. If the Secretary determines the department of social services has shown measurable progress within six months, the Secretary may extend the joint corrective action plan by six months, but in no case shall a joint corrective action plan exceed 18 months.
- (2) The performance requirements for the department of social services that constitute successful completion of the joint corrective action plan.
- (3) An acknowledgement that failure to successfully complete the joint corrective action plan shall result in temporary assumption of all or part of the department of social services' child welfare program administration.

(b) If the Secretary of Health and Human Services determines that a county department of social services is not providing child protective services, foster care services, or adoption services in accordance with State law and with applicable rules adopted by the Social Services Commission, or fails to demonstrate reasonable efforts to do so, has failed to successfully complete the joint corrective action plan, then the Secretary, after providing written notification of intent to the county director of social services, to the chair of the county board of



1 commissioners, and to the chair of the county board of social services, and after providing them  
2 with an opportunity to be heard, may intervene in the particular service or services in question.  
3 Intervention includes, but is not limited to, the following activities: Secretary shall give the  
4 board of county commissioners, the department of social services, the county manager, and the  
5 board of social services at least 30 days' notice that the Secretary intends to temporarily assume  
6 all or part of the department's child welfare program administration in accordance with  
7 subsection (c) of this section. In a regional department of social services, notice shall be  
8 provided to boards of county commissioners and county managers for all counties served by the  
9 region.

- 10 (1) ~~Sending staff of the Department of Health and Human Services to the county~~  
11 ~~department of social services to provide technical assistance and to monitor~~  
12 ~~the services being provided;~~
- 13 (2) ~~Establishing a corrective plan of action to correct inappropriate policies and~~  
14 ~~procedures; and~~
- 15 (3) ~~Advising county personnel as to appropriate policies and procedures.~~

16 ~~If within 60 days of completion of the intervention activities, the Secretary finds that the~~  
17 ~~county department of social services is not providing in accordance with State laws and~~  
18 ~~applicable rules the particular service or services for which intervention was initiated, or has~~  
19 ~~not demonstrated reasonable efforts to do so, the Secretary shall withhold State and federal~~  
20 ~~child welfare services administrative funds until the particular service or services are provided~~  
21 ~~in accordance with State laws and applicable rules.~~

22 (c) ~~If the Secretary determines that a county department of social services is not~~  
23 ~~providing child protective, foster care, or adoption services in accordance with State law and~~  
24 ~~with applicable rules adopted by the Social Services Commission, or fails to demonstrate~~  
25 ~~reasonable efforts to do so, and the failure to provide the services poses a substantial threat to~~  
26 ~~the safety and welfare of children in the county who receive or are eligible to receive the~~  
27 ~~services, then the Secretary, after providing written notification of intent to the chair of the~~  
28 ~~county board of commissioners, to the chair of the county board of social services, and to the~~  
29 ~~county director of social services, and after providing them with an opportunity to be heard,~~  
30 ~~shall withhold funding for the particular service or services in question and shall ensure the~~  
31 ~~provision of these services through contracts with public or private agencies or by direct~~  
32 ~~operation by the Department of Health and Human Services. Notwithstanding any provision of~~  
33 law to the contrary, if a department of social services fails to successfully complete its joint  
34 corrective action plan, the Secretary shall, within 30 calendar days, temporarily assume all or  
35 part of the department's child welfare program administration upon giving notice as required by  
36 subsection (b) of this section. During the period the Secretary assumes administration of the  
37 child welfare program, the following shall occur:

- 38 (1) The Secretary shall administer the child welfare program in a county or  
39 region. Administration by the Secretary may include direct operation by the  
40 Department, including supervision of child welfare program staff, or  
41 contracts for operation, to the extent permitted by federal law.
- 42 (2) The department of social services shall be divested of administrative  
43 authority for any component of the child welfare program the Secretary  
44 assumes.
- 45 (3) The director of social services shall be divested of all service delivery  
46 powers conferred upon the director by G.S. 108A-14 and other applicable  
47 State law as it pertains to the services in question. The Secretary may assign  
48 any of the powers and duties of the director of social services to the Director  
49 of the Division of Social Services of the Department or a contractor, as the  
50 Secretary deems necessary and appropriate to continue the provision of  
51 services in the county. If the director delegates any authority to staff



pursuant to G.S. 108A-14(b), delegated authority shall remain in effect until the Secretary, or the Secretary's designee, specifically revokes the delegation.

(4) The Secretary shall direct and oversee the expenditure of all funding for the administration of the components of the child welfare program assumed by the Secretary.

(5) The department of social services shall not withdraw funds previously obligated or appropriated for child welfare program administration and services. The department of social services shall continue to pay the county or region's nonfederal share for the child welfare program services and administration.

(6) The Secretary shall work with the department of social services to develop a plan for the department to resume child welfare program administration.

(7) The Secretary shall inform the appropriate board or boards of county commissioners, the county manager or managers, the director of social services, and the board of social services of key activities and ongoing concerns during the temporary assumption of child welfare administration.

(c1) Upon the Secretary's determination that the department of social services is able to meet performance requirements for child welfare programs and that program administration responsibilities should be restored to the department of social services, the Secretary shall notify the board of county commissioners, the department of social services, the county manager, and the board of social services that the temporary assumption of child welfare program administration will be terminated and the effective date of the termination. Upon termination, the department of social services shall resume its full authority to administer the child welfare program.

~~(d) In the event that the Secretary assumes control of service delivery pursuant to subsection (c) of this section, the county director of social services shall be divested of all service delivery powers conferred upon the director by G.S. 108A-14 and other applicable State law as the powers pertain to the services in question. Upon assumption of control of service delivery, the Secretary may assign any of the powers and duties of the county director of social services to the Director of the Division of Social Services of the Department of Health and Human Services or to a contractor as the Secretary deems necessary and appropriate to continue the provision of the services in the county.~~

~~(e) In the event the Secretary takes action under this section, the Department of Health and Human Services shall, in conjunction with the county board of commissioners, the county board of social services, and the county director of social services develop and implement a corrective plan of action. The Department of Health and Human Services shall also keep the chair of the county board of commissioners, the chair of the county board of social services, and the county director of social services informed of any ongoing concerns or problems with the delivery of the services in question.~~

~~(f) Upon the Secretary taking action pursuant to subsection (c) of this section, county funding of the services in question shall continue and at no time during the period of time that the Secretary is taking action shall a county withdraw funds previously obligated or appropriated for the services. Upon the Secretary's assumption of the control of service delivery, the county shall also pay the nonfederal share of any additional cost that may be incurred to operate the services in question at the level necessary to comply fully with State law and Social Services Commission rules.~~

~~(g) During the period of time that the Secretary is taking action pursuant to subsection (c) of this section, the Department of Health and Human Services shall work with the county board of commissioners, the county board of social services, and the county director of social services, to enable service delivery to be returned to the county if and when the Secretary has~~



determined that services can be provided by the county in accordance with State law and applicable rules."

**SECTION 3.2.** Section 3.1 of this act becomes effective six months after all 100 counties in the State have implemented the child welfare component to the North Carolina Families Accessing Services through Technology (NC FAST) system.

#### **PART IV. CHILD WELL-BEING TRANSFORMATION COUNCIL**

**SECTION 4.1.** Chapter 143 of the General Statutes is amended by adding a new Article to read:

"Article 81.

"Child Well-Being Transformation Council.

**"§ 143-775. Child Well-Being Transformation Council established; membership; qualifications; vacancies.**

(a) Purpose; Findings. – The welfare of North Carolina's children is a priority. There are many public and private agencies and organizations across the State that are involved with promoting the welfare of children and protecting them from harm, such as those involving child care, schools, health care providers, social services agencies, and juvenile justice programs. Though these agencies and organizations provide important services, they often fail to collaborate, coordinate, and communicate about those services. A more systematic and coordinated approach to services will help ensure that the State achieves the best possible outcomes for children. Therefore, the General Assembly finds that it is essential that a single body serve as a means for coordination, collaboration, and communication among agencies and organizations involved in providing public services to children.

(b) Creation and Membership. – There is established the North Carolina Child Well-Being Transformation Council (Council). The Council shall be located administratively in the General Assembly. The Council shall consist of 13 members serving staggered terms. In making appointments, each appointing authority shall select members who have appropriate experience and knowledge of the issues to be examined by the Council and shall strive to ensure members are appointed who represent the geographical, political, gender, and racial diversity of this State. The initial Council members shall be appointed on or after July 1, 2018, as follows:

- (1) Three members shall be appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate. Of the members appointed under this subdivision, one shall be a member of the Senate who shall serve for a term of two years, one shall be a representative from the Administrative Office of the Courts who shall serve for a term of three years, and one shall be a representative from a child welfare private provider organization who shall serve a one-year term.
- (2) Three members shall be appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives. Of the members appointed under this subdivision, one shall be a member of the House of Representatives who shall serve for a term of two years, one shall be a representative from the Department of Public Instruction who shall serve for a term of three years, and one shall be a representative from Indigent Defense Services who shall serve a one-year term.
- (3) Seven members shall be appointed by the Governor. Of the members appointed under this subdivision, one shall be a representative from the Department of Health and Human Services, Division of Child Development and Early Education, who shall serve for a term of three years, one shall be a representative from the Department of Health and Human Services, Division of Social Services, who shall serve for a term of three years, one shall be a



1 representative from the Department of Public Safety, Division of Juvenile  
2 Justice, who shall serve for a term of two years, one shall be a representative  
3 from the Department of Health and Human Services, Division of Mental  
4 Health, Developmental Disabilities, and Substance Abuse Services, who  
5 shall serve for a term of two years, one shall be a representative from the  
6 Guardian ad Litem program who shall serve a term of two years, one shall  
7 be a representative from Disability Rights NC who shall serve a one-year  
8 term, and one shall be a representative from the North Carolina Pediatric  
9 Society who shall serve a one-year term.

10 (c) Terms; Vacancies. – Upon the expiration of the terms of the initial Council  
11 members, each member shall be appointed for a term of four years and shall serve until a  
12 successor is appointed. No member may serve more than two consecutive full terms. A vacancy  
13 shall be filled within 30 days by the authority making the initial appointment.

14 (d) Organization. – The Council shall elect from its membership a chair and vice-chair  
15 to each serve one-year terms. The Council shall meet on a quarterly basis each year upon the  
16 call of the chair. A quorum of the Council is seven members. No action may be taken except by  
17 a majority vote at a meeting at which a quorum is present. The Open Meetings Law pursuant to  
18 Article 33 of Chapter 143 of the General Statutes and the Public Records Act under Chapter  
19 132 of the General Statutes shall apply to the Council.

20 (e) Funding. – From funds available to the General Assembly, the Legislative Services  
21 Commission shall allocate monies to fund the work of the Committee. Members of the  
22 Committee shall receive subsistence and travel expenses as provided in G.S. 120-3.1 and  
23 G.S. 138-5.

24 (f) Staff. – The Legislative Services Commission, through the Legislative Services  
25 Officer, shall assign professional staff to assist the Council in its work. Upon the direction of  
26 the Legislative Services Commission, the Director of Legislative Assistants of the Senate and  
27 of the House of Representatives shall assign clerical staff to the Council. The expenses for  
28 clerical employees shall be borne by the Council.

29 **"§ 143-776. Powers and duties.**

30 (a) Upon its establishment, the Council shall direct its initial focus on the following  
31 initiatives:

- 32 (1) Mapping the network of child-serving agencies and organizations in the  
33 State.
- 34 (2) Cataloging examples of failures in coordination, collaboration, and  
35 communication in the context of child protective services.
- 36 (3) Reviewing the work of bodies similar to the Council operating in other states  
37 to identify promising practices and focus areas for the Council's work.

38 (b) Beginning July 1, 2020, the Council shall focus on promoting coordination,  
39 collaboration, and communication of child-serving agencies involved with the child protective  
40 services system. In addition, the Council shall do the following:

- 41 (1) Monitor the process of regionalization.
- 42 (2) Monitor the process of child welfare reform.
- 43 (3) Recommend changes in law, policy, or practice necessary to remedy gaps in  
44 coordination, collaboration, and communication between the new regional  
45 social services departments and other agencies and organizations involved  
46 with the same populations.

47 (c) By 2022, and thereafter, the Council shall expand the scope of its work to  
48 encompass evaluation of child-centered programs and services beyond the child protective  
49 services system. The Council shall take appropriate steps to identify gaps in coordination,  
50 collaboration, and communication and recommend changes in law, policy, or practice



1 necessary to remedy remaining gaps. The Council's authority extends to any publicly funded  
2 program that serves children.

3 (d) The Council shall submit a report to the chairs of the Senate Appropriations  
4 Committee on Health and Human Services, the chairs of the House of Representatives  
5 Appropriations Committee on Health and Human Services, the Joint Legislative Oversight  
6 Committee on Health and Human Services, and the Fiscal Research Division by June 30 of  
7 each year. The report shall include a summary of the Council's work for the previous year, any  
8 findings and recommendations for change, and a work plan for the upcoming year.

9 (e) The Council is authorized to accept gifts or grants from other sources to support  
10 administration of the Council."

11 **SECTION 4.2.(a)** There is appropriated from the General Fund to the Legislative  
12 Services Commission the sum of twelve thousand six hundred ninety-two dollars (\$12,692) in  
13 nonrecurring funds for the 2018-2019 fiscal year for purposes of assisting the Child Well-Being  
14 Transformation Council established pursuant to Section 4.1 of this act.

15 **SECTION 4.2.(b)** This section becomes effective July 1, 2017.

## 16 17 **PART V. DRIVERS LICENSE PILOT PROJECT**

18 **SECTION 5.1.(a)** The General Assembly recognizes that not having a drivers  
19 license is a barrier to education, employment, health care, and other community-based activities  
20 for older youth in substitute care working toward independence. One of the biggest barriers to  
21 accessing a drivers license for such youth is the ability to obtain insurance. Therefore, to assist  
22 in this effort, the Department of Health and Human Services, Division of Social Services, shall  
23 establish a two-year pilot program that shall reimburse, on a first-come, first-served basis,  
24 youth and caregivers' costs associated with drivers license education, drivers license fees,  
25 insurance costs, and any other costs associated with obtaining a drivers license. The Division  
26 shall take appropriate steps to ensure proper advertising of the pilot program.

27 **SECTION 5.1.(b)** The Division of Social Services shall report on the pilot project  
28 to the Joint Legislative Oversight Committee on Health and Human Services by March 1, 2018.

29 **SECTION 5.2.(a)** There is appropriated from the General Fund to the Department  
30 of Health and Human Services, Division of Social Services, the sum of seventy-five thousand  
31 dollars (\$75,000) for the 2017-2018 fiscal year and the sum of seventy-five thousand dollars  
32 (\$75,000) for the 2018-2019 fiscal year to conduct the pilot project established pursuant to  
33 Section 5.1 of this act.

34 **SECTION 5.2.(b)** This section becomes effective July 1, 2017.

## 35 36 **PART VI. PILOT WAIVER FOR IAFT FOSTER PARENTS**

37 **SECTION 6.(a)** The General Assembly has determined that in an effort to  
38 maximize funding, local management entities/managed care organizations (LME/MCOs) are  
39 utilizing Intensive Alternative Family Treatment (IAFT), which is a means of cost-effective,  
40 specialized foster care treatment service that is being used for many youth who would have  
41 previously been treated in Medicaid congregate care, such as psychiatric residential treatment  
42 facilities. The General Assembly finds that these higher-need youth are often (i) suspended or  
43 expelled from school or day programs and (ii) require multiple appointments on a weekly basis  
44 to address needs, such as therapy, medication management, and school individual education  
45 plans (IEPs). Further, in accordance with rules, foster parents are required to maintain outside  
46 employment while providing foster care, but the constant demands of meeting the needs of  
47 these foster youth often lead to disruption in placement as the foster parent is unable to meet  
48 those needs while maintaining the parent's employment obligations.

49 **SECTION 6.(b)** To that end, the Department of Health and Human Services,  
50 Division of Social Services (Division), shall establish a pilot program that will allow the  
51 Division to waive the employment requirement for foster parents. The Division shall solicit



1 participation in the pilot program from interested LME/MCOs. The participating LME/MCOs  
2 shall conduct comparison measures between existing IAFI outcomes and those of pilots to  
3 determine any impact the waiver may have on outside employment. LME/MCOs shall measure  
4 progress of the pilot waivers based on the expectation of meeting the following outcomes:

- 5 (1) Improved placement stability with less than twenty percent (20%) of moves  
6 of youth occurring due to therapeutic foster parent request.
- 7 (2) Seventy-five percent (75%) of youth and families meeting their treatment  
8 goals within the projected time frame.
- 9 (3) No more than a ten percent (10%) increase in higher-level hospital bed days.

10 **SECTION 6.(c)** LME/MCOs participating in the IAFI pilot waiver program shall  
11 provide a report on the outcomes of the pilots, along with any recommendations, to the  
12 Division. The Division shall then submit a report on the pilot waiver program to the Joint  
13 Legislative Oversight Committee on Health and Human Services by December 1, 2018.

## 14 **PART VII. TERMINATION OF PARENTAL RIGHTS/TIME FRAME FOR APPEALS**

15 **SECTION 7.** G.S. 7B-1001(a)(5)b. reads as rewritten:

16 "(a) In a juvenile matter under this Subchapter, appeal of a final order of the court in a  
17 juvenile matter shall be made directly to the Court of Appeals. Only the following juvenile  
18 matters may be appealed:

- 19 ...
- 20 (5) An order entered under G.S. 7B-906.2(b) with rights to appeal properly  
21 preserved, as follows:

- 22 ...
- 23 b. A party who is a parent shall have the right to appeal the order if no  
24 termination of parental rights petition or motion is filed within ~~180~~  
25 65 days of the order."

## 26 **PART VIII. TIME FRAME FOR LICENSURE APPROVAL/FOSTER CARE**

27 **SECTION 8.1.** G.S. 131D-10.3 is amended by adding a new subsection to read:

28 **"§ 131D-10.3. Licensure required.**

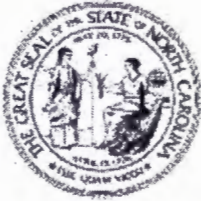
29 ...  
30 (d1) Notwithstanding any other provision of law, the Department shall grant or deny a  
31 license to provide foster care or therapeutic foster care within three months from the date of  
32 application.

33 ...."

34 **SECTION 8.2.** The Department of Health and Human Services, Division of Social  
35 Services, shall further examine the existing time frames for processing foster care and  
36 therapeutic foster care applications and determine methods to further reduce the time frames for  
37 approving or denying applications for licensure.

## 38 **PART IX. EFFECTIVE DATE**

39 **SECTION 9.** Except as otherwise provided, this act is effective when it becomes  
40 law.



## HOUSE BILL 608: Family/Child Protection & Accountability Act.

2017-2018 General Assembly

<b>Committee:</b>	House Homelessness, Foster Care, and Dependency. If favorable, re-refer to Appropriations	<b>Date:</b>	April 19, 2017
<b>Introduced by:</b>	Reps. Stevens, Lewis, Dollar, Jordan	<b>Prepared by:</b>	Tawanda N. Foster
<b>Analysis of:</b>	First Edition		Committee Counsel

**OVERVIEW:** *House Bill 608 does the following: 1) reforms the State child welfare system; 2) improves accountability and state oversight of the child welfare system; 3) requires the State to develop a plan for a regional system of social services departments; 4) establishes a child well-being transformation council to improve coordination, collaboration, and communication among child-serving agencies; 5) establishes a pilot program to help youth in substitute care obtain drivers licenses; 6) establishes a pilot program to authorize a waiver of the employment requirement for foster parents with children receiving intensive alternative family treatment; 7) reduces the time a parent has to appeal from a termination of parental rights order; and 8) reduces the time frame for foster care licensure approval.*

[As introduced, this bill was identical to S594, as introduced by Sens. Barringer, Harrington, Tucker, which is currently in Senate Health Care.]

### BILL ANALYSIS:

#### PART I. REGIONAL SOCIAL SERVICES DEPARTMENTS; WORKING GROUP

**Section 1.1** requires the Department of Health and Human Services (Department) to develop a plan to transition from a State-supervised, county-administered system to a State-supervised, regionally administered system by January 1, 2022.

- A preliminary plan must be submitted to the Joint Legislative Oversight Committee on Health and Human Services by January 15, 2019. A final plan must be submitted to this same committee by March 31, 2019.

**Section 1.2** establishes a Social Services Regionalization Working Group (Working Group) to make recommendations to the Department regarding the preliminary plan for regionalization.

- The Working Group must submit an interim report to the Joint Legislative Oversight Committee on Health and Human Services by June 30, 2018. A final report must be submitted to this same committee by December 1, 2018.
- The UNC School of Government shall assist the working group.

**Section 1.3** appropriates \$48,400 from the General Fund to the School of Government for the 2017-2018 fiscal year and appropriates \$25,700 for the 2018-2019 fiscal year for its role in assisting in the development of the regionalization plan.

Karen Cochrane-Brown  
Director



Legislative Analysis  
Division  
919-733-2578

# House Bill 608

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**Section 1.4** appropriates \$38,039 from the General Fund to the Department for the 2017-2018 fiscal year and appropriates \$16,303 for the 2018-2019 fiscal year for reimbursement costs associated with the duties of the Working Group.

**Section 1.5** provides Sections 1.3 and 1.4 become effective July 1, 2017.

## PART II. REFORMING STATE SUPERVISION AND ACCOUNTABILITY OF THE STATE'S CHILD WELFARE SYSTEM

**Section 2.1** directs the Office of State Budget Management in consultation with the Department of Health and Human Services to develop and issue a request for proposal (RFP) by January 15, 2018 to contract with a third-party organization to evaluate the State's child welfare system, develop a plan for reforming the system, and provide ongoing evaluation and oversight of the implementation of the child welfare system reform.

- The third-party organization shall submit its preliminary report to the Joint Legislative Oversight Committee on Health and Human Services no later than 180 days after the contract is finalized. The organization must also submit bimonthly reports to the Committee beginning no later than September 15, 2019.
- The Department of Health and Human Services shall submit a report to the Joint Legislative Oversight Committee on Health and Human Services no later than September 15, 2019 describing the progress made on implementation to date, implementation plans and time lines for the subsequent 24 months, and a summary of significant challenges encountered during implementation.

**Section 2.2.(a)** appropriates \$3,100,000 in non-recurring funds from the General Fund to the Department of Health and Human Services, Division of Social Services for the 2018-2019 fiscal year to implement the child welfare system reform.

**Section 2.2.(b)** provides Section 2.2 becomes effective July 1, 2017.

## PART III. LOCAL DSS; CORRECTIVE ACTION

**Section 3.1** amends G.S. 108A-74 to require local departments to meet required standards in child welfare or they will be subject to corrective action.

- The Secretary will develop a standard set of performance and outcome metrics for child welfare services. Departments of social services shall satisfy mandated performance requirements that are based on those metrics.
- If a department fails to meet the performance requirements for three consecutive months or five months within a consecutive 12-month period, the department shall enter into a joint corrective action plan within 60 working days. The joint corrective action plan may not exceed 18 months.
- If a department fails to successfully complete a corrective action plan the Secretary may temporarily assume all or part of the department's child welfare program administration.
- Also, this section revises definitions to remove the term "county" and add a definition for "child welfare program."



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**Section 3.2** provides Section 3.1 becomes effective six months after all 100 counties in the State have implemented the child welfare component to the North Carolina Families Accessing Services through Technology (NC FAST) system.

## PART IV. CHILD WELL BEING TRANSFORMATION COUNCIL

**Section 4.1** adds a new Article to Chapter 143 of the General Statutes to establish the Child Well-Being Transformation Council (Council) to serve as a means for coordination, collaboration, and communication among agencies and organizations involved in providing public services to children.

- The Council will be located administratively in the General Assembly and will consist of 13 members serving staggered terms. The initial Council members shall be appointed on or after July 1, 2018, as follows:
  - Three members shall be appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate.
  - Three members shall be appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives.
  - Seven members shall be appointed by the Governor.
- The Council must submit a report to the chairs of the Senate Appropriations Committee on Health and Human Services, the chairs of the House of Representatives Appropriations Committee on Health and Human Services, the Joint Legislative Oversight Committee on Health and Human Services, and the Fiscal Research Division by June 30 of each year.
- The Council is allowed to accept gifts or grants from other sources to support its administration.

**Section 4.2.(a)** appropriates \$12,692 in non-recurring funds from the General Fund to the Legislative Services Commission for the 2018-2019 fiscal year for the purposes of assisting in establishing the Council.

**Section 4.2.(b)** provides Section 4.2 becomes effective July 1, 2017.

## PART V. DRIVERS LICENSE PILOT PROJECT

**Section 5.1** requires the Department of Health and Human Services, Division of Social Services to establish a two year pilot program that shall reimburse, on a first come, first served basis, youth and caregivers' costs associated with drivers license education, drivers license fees, insurance costs, and any other costs associated with obtaining a drivers license.

- The Division of Social Services shall report on the pilot project to the Joint Legislative Oversight Committee on Health and Human Services by March 1, 2018.

**Section 5.2.(a)** appropriates \$75,000 for the 2017-2018 fiscal year and \$75,000 for the 2018-2019 fiscal year to conduct the pilot project.

**Section 5.2.(b)** provides Section 5.2 becomes effective July 1, 2017.

# House Bill 608

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## PART VI. PILOT WAIVER FOR IAFT FOSTER PARENTS

**Section 6** requires the Department of Health and Human Services, Division of Social Services (Division) to establish a pilot program that will allow the Division to waive the employment requirement for foster parents.

- LME/MCOs participating in the IAFT pilot waiver program must provide a report on the outcomes of the pilots, along with any recommendations, to the Division. The Division will then submit a report on the pilot waiver program to the Joint Legislative Oversight Committee on Health and Human Services by December 1, 2018.

## PART VII. TERMINATION OF PARENTAL RIGHTS/TIME FRAME FOR APPEALS

**Section 7** amends G.S. 7B-1001(a)(5)b to reduce the time from 180 days to 65 days for parents to appeal a termination of parental rights order.

## PART VIII. TIME FRAME FOR LICENSURE APPROVAL/FOSTER CARE

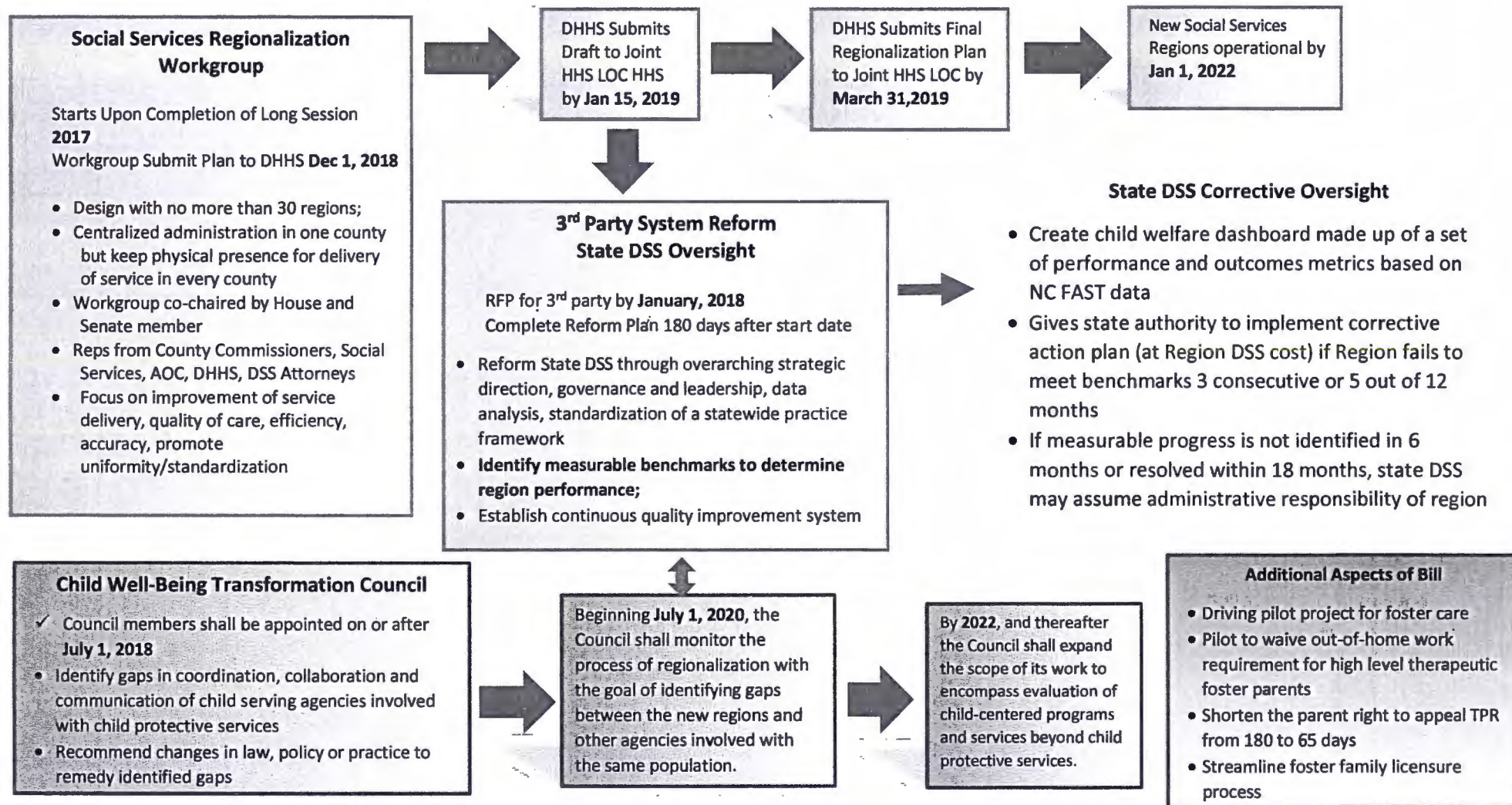
**Section 8** amends G.S. 131D-10.3 to require the Department to grant or deny a license to provide foster care or therapeutic foster care within three months of the date of the application.

- Also directs the Department to further examine the existing time frames for processing foster care and therapeutic foster care applications and determine methods to further reduce the time frames for approving or denying applications for licensure.

**EFFECTIVE DATE:** Sections 1.3, 1.4, 2.2, 4.2 and 5.2 would become effective July 1, 2017. Section 3.1 would become effective six months after all 100 counties in the State have implemented the child welfare component to the North Carolina Families Accessing Services through Technology (NC FAST) system. Except as otherwise provided, this bill would become effective when it becomes law.



# NC Child/Family Protection and Accountability Act





Date:

Bill Number

\* add all VOS papers to VOS file\*

PCS NO

Motion to be before the committee by \_\_\_\_\_

Rep. Stevens, Lewis explained the bill.

Discussion on the Bill	YES or NO
------------------------	-----------

Rep. \_\_\_\_\_ motioned for:

\_\_\_\_\_ Favorable Report

\_\_\_\_\_ Adoption

\_\_\_\_ Unfavorable Report

\_\_\_\_\_ Unfavorable to original bill, fav to PCS

No vote

(1)

∴ (2)

Serial referral to: Appropriations

Speakers: Black Gutty  
insko

NO VOTE

Handouts:

Hugh Johnson, County Com. Ass.



Date: 4-20-17

Bill Number 630

PCS no

Motion to be before the committee by \_\_\_\_\_

Rep Bates, McNeill explained the bill.

Discussion on the Bill	YES or NO
------------------------	-----------

Rep. Clampitt motioned for:

☒ Favorable Report

## Adoption

\_\_\_\_ Unfavorable Report

\_\_\_\_\_ Unfavorable to original bill, fav to PCS

\_\_\_\_\_ No vote

Amendments: : \_\_\_\_\_

Serial referral to: Judiciary IV

Speakers: Pamela Reid, previous Guardian Lite um  
gives account of Rylan's case

Handouts:

✓ Rep. Black - what's in place to help parents  
training parents on how to be successful

~~Rep. Authy~~

Rep. Terry

Rep. Insko - do we have the resources





NORTH CAROLINA GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES

HOMELESSNESS, FOSTER CARE, AND DEPENDENCY COMMITTEE REPORT  
Representative Jonathan C. Jordan, Chair

FAVORABLE AND RE-REFERRED

HB 630

Rylan's Law/CPS Observation.

Draft Number: None

**Serial Referral:** JUDICIARY IV

Recommended Referral: None

Long Title Amended: No

Floor Manager: Boles

TOTAL REPORTED: 1



\* C M R 2 5 3 - V - 1 \*

