



JOINT LEGISLATIVE OVERSIGHT COMMITTEE
ON HEALTH AND HUMAN SERVICES

NC Department of Health and Human Services

Chapter 122C Policy Updates

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History of 122C Statutes

- The 122C statutes that govern our behavioral health system are **nearly 40 years old** (est. 1985)
- This critical set of laws have **never been comprehensively updated**
- Piecemeal changes over the years have resulted in a **fractured set of laws**
- Modernization is needed to ensure the statutes **reflect our current system**, including the populations served, programs in place, and transition to managed care

Modernizing 122C: Why Now?

- Every day up to 300 North Carolinians are waiting in the emergency department for access to behavioral health care
- A third of patients in our state hospitals are there for capacity restoration, which can be done successfully and more quickly in other settings
- Current outpatient commitment laws do not clearly define required treatment and are ineffective for our most vulnerable and highest risk psychiatric patients

Considerable Stakeholder Engagement

- Beginning in December 2023, NCDHHS has convened over 23 stakeholder engagement sessions to solicit feedback
- A wide range of external partners have participated, and they have provided important and thorough feedback
- Discussions are ongoing, submitted feedback is being considered, and NCDHHS is working to finalize a set of proposed changes