



The Daily Bulletin: 2021-06-21

PUBLIC/HOUSE BILLS

H 734 (2021) **DEPT. OF HEALTH & HUMAN SERVICES REVISIONS**. Filed Apr 28 2021, *AN ACT MAKING TECHNICAL, CONFORMING, AND OTHER MODIFICATIONS TO "LAWS PERTAINING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES; PROTECTING NORTH CAROLINA CITIZENS FROM THE UNLICENSED OPERATION OF MENTAL HEALTH FACILITIES OR PROGRAMS PROVIDING SERVICES REQUIRING A LICENSE UNDER ARTICLE 2 OF CHAPTER 122C OF THE GENERAL STATUTES; AND MODIFYING THE CONSUMER AND FAMILY ADVISORY COMMITTEES.*

Senate amendment makes the following changes to the 2nd edition.

Section 4

Amends GS 122C-171 by making the following changes to the State Consumer and Family Advisory Committee (State CFAC). Expands upon the State CFAC's duties to also include advising the Department of Health of Human Services (DHHS) and NCGA on the planning and management of the State's traumatic brain injury services system in addition to intellectual and developmental disabilities (was, development disabilities only) and substance use disorder (was, substance abuse) services systems. Makes conforming changes to the qualifications of State CFAC members. Amends the required undertakings of the State CFAC, by making conforming changes and to now include: (1) review and comment on contract deliverables and the process and outcomes of prepaid health plans in meeting these contact deliverables (was, participate in all quality improvement measures and performance indicators) and (2) develop a collaborative and working relationship with the prepaid health plan member advisory committees to obtain input related to service delivery and system change issues (was, provide technical assistance to local CFACs in implementing their duties).

Section 7.1

Deletes the content of proposed GS 122C-28.1 and replaces it with the following. Requires DHHS, when it has directed an unlicensed facility that is providing services that require a license to cease and desist from engaging in any act or practice in violation of Article 2 (*Licensure of Facilities for the Mentally Ill, the Developmentally Disabled, and Substance Abusers*) to conduct a follow-up visit to determine if the Secretary may issue a cease and desist order unless the order has already been issued. Requires the district attorney's office with jurisdiction over the facility to collect information on the total amount of fines collected under GS 122C-28 and report that information to DHHS.

Further amends GS 122C-23(e1) by limiting the prohibition on revalidating applicants, who meet the specified criteria, as enrolled providers in the Medicaid or NC Health Choice programs to the period of time of the license revocation or suspension.

Section 7.3

Amends GS 122C-22 by no longer limiting the exclusion from licensure under Article 2 (*Licensure of Facilities for the Mentally Ill, the Developmentally Disabled, and Substance Abusers*) for physicians and psychologists engaged in private office practice to those who do not receive reimbursement under the Medicare program or the North Carolina Medicaid or the NC Health Choice program.

Amends the database requirements to now require DHHS (was, the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services) to establish a database or expand upon an existing database that makes publicly available a searchable listing of all applicable facilities and programs with all of the listed information (was, makes publicly available the status of any ongoing investigations of reported operation of a program or facility in violation of Article 2). Amends the information that must be listed to: (1) include the dates and types of visits conducted by the Division of Health Services Regulation (was, by the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services); (2) add a description of the findings, including whether a complaint was substantiated or unsubstantiated, and identification of the violation cited if substantiated; (3) delete the amount of any fines imposed and the amount actually collected; and (4) include

any action taken under GS 122C-28.1 by the Division of Health Services Regulation (was, by Division of Mental Health, Developmental Disabilities, and Substance Abuse Services or by a facility to comply with Article 2 of GS Chapter 122C). Requires DHHS (was, the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services) to coordinate with the Department of Insurance on the toll-free number or website and now limits its use to verifying the licensure status (was, operational and licensure status) of a facility providing mental health, behavioral health, and substance use disorder services.

New Section 8.1 adds the following content. Amends GS 122C-170 to require area authorities only, rather than area authorities and county programs, to establish Consumer and Family Advisory Committees (CFAC) to advise on the planning and management of the local public mental health, intellectual and developmental disabilities, substance use disorder, and traumatic brain injury services system in the catchment area (was, the local public mental health, developmental disabilities, substance abuse services system in the catchment area). Makes conforming changes to the composition and responsibilities of the CFAC to reflect its modified purpose. Additionally, revises the duties of the CFAC to include reviewing, commenting on, and monitoring the implementation of the contract deliverables between area authorities and the Department of Health and Human Services (was, of the local business plan), and developing a collaborative and working relationship with the area authorities' member advisory committees to obtain input related to service delivery and system change issues (replacing the duty to participate in all quality improvement measures and performance indicators). Specifies that the CFAC must include statewide issues in its findings and recommendations submitted to the State CFAC regarding ways to improve the delivery of mental health, intellectual and developmental disabilities, substance use disorder, and traumatic brain injury services. Requires the director of the area authority to provide assistance to the CFAC that includes training to review and comment on contract deliverables (was, business plans).

Makes conforming changes to the act's long title.

Intro. by Potts, Stevens.

GS 122C, GS 130A

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Government, State Agencies, Department of Health and Human Services, Department of Insurance, Health and Human Services, Health, Health Care Facilities and Providers, Health Insurance, Public Health, Mental Health, Social Services, Public Assistance

PUBLIC/SENATE BILLS

S 43 (2021) [PROTECT RELIGIOUS MEETING PLACES](#). Filed Feb 2 2021, *AN ACT TO ENACT THE RELIGIOUS ASSEMBLY SECURITY AND PROTECTION ACT OF 2021 AND TO AUTHORIZE CONCEALED CARRY FOR CERTAIN LAW ENFORCEMENT FACILITY EMPLOYEES*.

The Governor vetoed the act on 06/18/21. The Governor's objections and veto message are available here:

<https://webservices.ncleg.gov/ViewBillDocument/2021/52210/0/S43-BILL-NBC-9011>.

Intro. by Britt, Daniel, Johnson.

GS 14

[View summary](#)

Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Education, Elementary and Secondary Education, Government, Public Safety and Emergency Management

S 255 (2021) [2021 AOC LEGISLATIVE CHANGES.-AB](#) Filed Mar 11 2021, *AN ACT TO MAKE VARIOUS CHANGES AND TECHNICAL CORRECTIONS TO THE LAWS GOVERNING THE ADMINISTRATION OF JUSTICE*.

AN ACT TO MAKE VARIOUS CHANGES AND TECHNICAL CORRECTIONS TO THE LAWS GOVERNING THE ADMINISTRATION OF JUSTICE. SL 2021-47. Enacted June 18, 2021. Effective June 18, 2021, except as otherwise provided.

Intro. by Britt, Daniel.

GS 1, GS 1A, GS 1C, GS 7A, GS 7B, GS 14, GS 15A, GS 42, GS 50B, GS 50C, GS 122C, GS 162

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Business and Commerce, Occupational Licensing, Courts/Judiciary, Civil, Civil Law, Civil Procedure, Juvenile Law, Delinquency, Criminal Justice, Criminal Law and Procedure, Development, Land Use and Housing, Property and Housing, Government, Ethics and Lobbying, State Agencies, Department of Justice, Health and Human Services, Mental Health

S 582 (2021) [HIGH SCHOOL ADJUNCT INSTRUCTORS/CC PREP](#). Filed Apr 6 2021, *AN ACT TO ALLOW CERTAIN INDIVIDUALS TO BE ADJUNCT INSTRUCTORS IN KINDERGARTEN THROUGH TWELVE COURSES.*

AN ACT TO ALLOW CERTAIN INDIVIDUALS TO BE ADJUNCT INSTRUCTORS IN KINDERGARTEN THROUGH TWELVE COURSES. SL 2021-48. Enacted June 21, 2021. Effective June 21, 2021.

Intro. by Burgin, Corbin.

GS 115C

[View summary](#)

Education, Elementary and Secondary Education

S 727 (2021) [SUPPORT LUMBEE RECOGNITION ACT](#). Filed Jun 21 2021, *A SENATE RESOLUTION SUPPORTING THE LUMBEE RECOGNITION ACT, WHICH EXTENDS FULL FEDERAL RECOGNITION TO THE LUMBEE TRIBE OF NORTH CAROLINA.*

Includes whereas clause. Expresses the Senate's support of the passage of The Lumbee Recognition Act or similar legislation and urges Congress to enact such legislation.

Intro. by Britt, Harrington, McInnis.

SENATE RES

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Government, State Government

ACTIONS ON BILLS

PUBLIC BILLS

H 83: ELIMINATE INCOME TAX FOR MILITARY RETIREES.

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: Ref To Com On Rules and Operations of the Senate

H 168: RETIREMENT ADMINISTRATIVE CHANGES ACT OF 2021.-AB

House: Cal Pursuant 36(b)

House: Placed On Cal For 06/22/2021

H 238: PROHIBIT POSSESSION OF SKIMMING DEVICE.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Ordered Enrolled

H 272: REVISE HEALTH STANDARD FOR LEAD.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Ordered Enrolled

H 335: TIMELY LOCAL PAYMENTS TO CHARTER SCHOOLS.

Senate: Reptd Fav

H 341: PROTECTION FROM ONLINE IMPERSONATION.

Senate: Withdrawn From Cal

Senate: Re-ref Com On Rules and Operations of the Senate

H 344: SYSTEM DEVELOPMENT FEES UPDATE.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

H 360: AUTHORIZE DAN RIVER STATE TRAIL.

Senate: Reptd Fav

H 383: MEDICAID MODERNIZED HOSPITAL ASSESSMENTS.

House: Ruled Material

House: Cal Pursuant 36(b)

House: Placed On Cal For 06/22/2021

H 477: TEMPORARY EVENT VENUES.

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: Ref To Com On Rules and Operations of the Senate

H 602: UNC LEGISLATIVE PRIORITIES/HR/REPORTS.

Senate: Reptd Fav

H 624: NORTH CAROLINA REGULATORY SANDBOX ACT.

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: Ref To Com On Rules and Operations of the Senate

H 629: PHYSICIAN ASST/NURSE PRACTIT./STOP ACT CLAR.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Ordered Enrolled

H 642: DOWN SYNDROME ORGAN TRANS. NONDISCRIM. ACT.

House: Cal Pursuant 36(b)

House: Placed On Cal For 06/22/2021

H 693: COMMON CARRIER ABC PERMIT.

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

H 734: DEPT. OF HEALTH & HUMAN SERVICES REVISIONS.

Senate: Amend Adopted AI

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Engrossed

S 43: PROTECT RELIGIOUS MEETING PLACES.

Senate: RefTo Com On Rules and Operations of the Senate

S 326: ELECTION DAY INTEGRITY ACT. (NEW)

House: Passed 1st Reading

House: RefTo Com On Rules, Calendar, and Operations of the House

S 421: CC/IN-STATE TUITION.

House: Withdrawn From Com

House: Re-ref to the Com on Education - Community Colleges, if favorable, Rules, Calendar, and Operations of the House

S 582: HIGH SCHOOL ADJUNCT INSTRUCTORS/CC PREP.

Senate: Signed by Gov. 6/21/2021

Senate: Ch. SL 2021-48

S 668: ANTI-PENSION SPIKING AMDS & LITIG. MORATORIUM.

Senate: Regular Message Received For Concurrence in H Com Sub

Senate: Placed On Cal For 06/23/2021

Senate: Withdrawn From Cal

Senate: Placed On Cal For 06/22/2021

S 707: DEVELOPMENT REGULATIONS & AIRPORT AUTHORITIES.

House: Withdrawn From Com

House: Re-ref to the Com on Local Government - Land Use, Planning and Development, if favorable, Rules, Calendar, and Operations of the House

S 724: EXPAND ACCESS TO VOTER ID & VOTING.

House: Passed 1st Reading

House: RefTo Com On Rules, Calendar, and Operations of the House

S 725: PROHIBIT PRIVATE MONEY IN ELECTIONS ADMIN.

House: Passed 1st Reading

House: RefTo Com On Rules, Calendar, and Operations of the House

S 727: SUPPORT LUMBEE RECOGNITION ACT.

Senate: Filed

Senate: Passed 1st Reading

Senate: Placed On Cal For 06/22/2021

LOCAL BILLS

H 38: BD. OF TRUSTEES/ISOTHERMAL CC.

Senate: Reptd Fav

S 194: RE-STAGGER TERMS/ALDERMEN/N.TOPSAIL BEACH.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 06/22/2021

S 260: MOORESVILLE TDA. (NEW)

Senate: Regular Message Received For Concurrence in H Com Sub

Senate: Placed On Cal For 06/23/2021

Senate: Withdrawn From Cal

Senate: Placed On Cal For 06/22/2021

S 288: RUTHERFORD COLLEGE/BD. OF ED. BURKE/CALDWELL. (NEW)

Senate: Regular Message Received For Concurrence in H Com Sub

Senate: Placed On Cal For 06/23/2021

Senate: Withdrawn From Cal

Senate: Placed On Cal For 06/22/2021

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