

2021-2022 LEGISLATION THAT MAY IMPACT COUNTY DEPARTMENTS OF SOCIAL SERVICES

Includes only bills which have crossed over from the house of origin to the other house

Last Updated: 7/14/2021

Updated Information highlighted in yellow

Revised/clarified narrative highlighted in teal

S/H Bill #	Title/Summary	Link to Bill Text	Bill Status (Last Action)	Comments/Update
S87	<p><u>Medicaid Reimbursement/Charter Schools.</u></p> <p>DEEM CHARTER SCHOOLS AS LOCAL GOVERNMENTAL ENTITIES AS NECESSARY TO ALLOW CHARTER SCHOOLS TO RECEIVE MEDICAID REIMBURSEMENT IN THE SAME MANNER AS LOCAL EDUCATION AGENCIES.</p>	<p>https://www.ncleg.gov/BillLookup/2021/s87</p>	<p>6/22/2021 Re-ref Com On Rules, Calendar, and Operations of the House</p> <p>6/22/2021 Reptd Fav</p> <p>6/8/2021 Re-ref Com On Health</p> <p>6/8/2021 Reptd Fav</p> <p>3/2/2021 Ref to the Com on Education - K-12, if favorable, Health, if favorable, Rules, Calendar, and</p>	<p>Charter schools that have been approved as public schools. Receive Medicaid reimbursement for services documented in an individualized education program, or other document described in the Medicaid State Plan.</p>

			<p>Operations of the House</p> <p>3/2/2021 Passed 1st Reading</p> <p>3/2/2021 Regular Message Received from Senate</p> <p>3/2/2021 Regular Message Sent to House</p>	
H205	<p><u>Abuse & Neglect Resources in Public Schools</u></p> <p>AN ACT TO REQUIRE PUBLIC SCHOOLS TO PROVIDE STUDENTS WITH INFORMATION AND RESOURCES ON CHILD ABUSE AND NEGLECT, INCLUDING SEXUAL ABUSE.</p>	<p>https://www.ncleg.gov/BillLookup/2021/H205</p>	<p>3/29/2021 Ref to Com on Rules and Operations of the Senate.</p> <p>3/29/2021 Passed 1st Reading</p> <p>3/29/2021 Regular Message Received from House</p>	<p>Requires BOE to adopt policies to require public schools to provide students in grades 6-12 with information on child abuse and neglect, including age-appropriate information on sexual abuse. Requires information to be provided in a document given to students at beginning of each school year and in a poster displayed in visible, high-traffic areas throughout each school. To include warning of A/N; Reporting Information; Statement that informs will be confidential; Available resources. Anonymous reporting line – not sure who this line would be for or the purpose of it.</p> <p>Some school systems operate tip lines for children in trouble. Want to be sure that we do not create competing systems.</p> <p>Concern: The language of this bill places children as self-reporters. Schools are not the experts on A/N. The issue of sexual abuse would, according to this bill need to be explained and education given to kids around this. Who will take on the role of this in the schools? Schools are not, by and large, experts on these issues.</p>

				On 6/29 this language became part of SB693.
H295	<u>DSS Review of Procedures/OAH</u> A BILL TO BE ENTITLED AN ACT TO REQUIRE THE SOCIAL SERVICES COMMISSION OF THE DIVISION OF SOCIAL SERVICES TO REVIEW POLICIES, GUIDELINES, AND OTHER INTERPRETIVE STATEMENTS AND SUBMIT A REPORT TO THE OFFICE OF ADMINISTRATIVE HEARINGS AND TO UPDATE THE PROCESS FOR LEGISLATIVE REVIEW OF RULES.	https://www.ncleg.gov/BillLookup/2021/H295	4/26/2021 Ref to Com On Rules and Operations of the Senate 4/26/2021 Passed 1st Reading 4/26/2021 Regular Message Received from House 4/23/2021 Reg message sent to Senate 4/22/2021 Passed 2 nd and 3 rd reading	Directs NCDSS through the Social Services Commission (SSC) to prepare and submit for review to the Office of Administrative Hearings (OAH) a review of all its policies, guidelines, and other interpretive statements (this probably needs some clarification) by May 31, 2022. Updates the process for the legislative review of rules. Provides that if there is a disagreement between the SCC and OAH that it goes to the Rules Review Commission for determination and provides if any disagreement on the finding it allows for filing a request for a review from Court of Appeal. The big issue is that all policies, guidelines and other interpretive statements determined to be in violation of GS 150B.18* will become an interim rule through July 1, 2023; and July 1, 2023 any interim rule that has failed to be adopted as a permanent rule would be void. This timeline is likely not to be met and could jeopardizes the current state of social services programs. Advocating for a longer time period. *This Chapter establishes a uniform system of administrative rule making and adjudicatory procedures for agencies. The procedures ensure that the functions of rulemaking, investigation, advocacy, and adjudication are not all performed by the same person in the administrative process.
S693	<u>Expedite Child Safety and Permanency</u> AN ACT TO AMEND VARIOUS ABUSE, NEGLECT, AND DEPENDENCY LAWS TO ENSURE THE SAFETY OF CHILDREN IN OUT-OF-HOME PLACEMENTS AND EXPEDITE PERMANENCY PLANNING HEARINGS FOR CHILDREN WHO	https://www.ncleg.gov/BillLookup/2021/s693	6/29/2021 Re-ref to the Com on Health, if favorable, Rules, Calendar, and Operations of the House 6/29/2021 Withdrawn from Com	Requires DSS to notify relatives and parties that may have custody of siblings of the child within 30 days. 30 days is unrealistic, because parents may be hesitant to provide relative contact information. Requires the child's developmental and attachment needs be considered in whether child is placed with relative. This is unfair to the child and family. Latest version of bill adds – Allows access to information of a CPS record to a member of the NC General Assembly and

	<p>HAVE BEEN REMOVED FROM THE HOME; TO CLARIFY THE NONCARETAKER DEFINITION FOR THE RESPONSIBLE INDIVIDUALS LIST; TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF SOCIAL SERVICES, TO DEVELOP A PLAN TO IMPLEMENT A CENTRALIZED HOTLINE FOR CHILD WELFARE INTAKE; TO DEVELOP A PLAN TO INCREASE APPROPRIATE TREATMENT AND RESIDENTIAL SETTINGS; AND TO PROVIDE SAFE AND APPROPRIATE PLACEMENT FOR CHILDREN IN NEED OF 11 BEHAVIORAL AND MENTAL HEALTH SERVICES.</p>	<p>6/29/2021 Re-ref Com On Rules, Calendar, and Operations of the House</p> <p>6/29/2021 Withdrawn from Com</p> <p>6/29/2021 Re-ref Com On Health</p> <p>6/29/2021 House Reptd Fav Com Substitute</p> <p>6/9/2021 Re-ref to the Com on Judiciary 1, if favorable, Health, if favorable, Rules, Calendar, and Operations of the House</p> <p>6/9/2021 Withdrawn from Com</p> <p>5/13/2021 Ref to Com On Rules, Calendar, and Operations of the House</p>	<p>a joint legislative oversight committee. Information minimum necessary to satisfy the request.</p> <p>DSS cannot allow unsupervised visits or return child to home without court hearing.</p> <p>Positive Drug screen from parent insufficient to deny visitation. If unsupervised visits orders file a motion and supervisor visits while case is pending.</p> <p>Requires DSS to cooperate with law enforcement if it is determined that a child is a victim of human trafficking by someone other than a parent or caretakers, and to provide the responsible individual's name, or document why not.</p> <p>Requires DHHS to develop an operational plan to implement a statewide CPS hotline, with a planning team to include at least three county DSS child welfare worker.</p> <p>Makes changes in the law to provide safe and more efficient placement for children in need of behavioral and mental health services.</p> <p>6/29/21 - There were proposed amendments to remove the records provision, but did not pass.</p> <p>6/29/21 - Language added from HB205 regarding requiring schools to provide students with information about child abuse and neglect – posters with tips to spot signs of abuse and a phone number to call a hotline.</p>
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H699	<p><u>Elder Abuse & Neglect/Increase Punishment</u></p> <p>A BILL TO BE ENTITLED AN ACT TO INCREASE THE PUNISHMENT FOR THE ABUSE OR NEGLECT OF A DISABLED OR ELDER ADULT</p>	<p>https://www.ncleg.gov/BillLookup/2021/h699</p>	<p>5/27/2021 Re-ref to Judiciary. If fav, re-ref to Rules and Operations of the Senate</p> <p>5/27/2021 Withdrawn from Com</p> <p>5/12/2021 Ref to Com On Rules and Operations of the Senate</p> <p>5/12/2021 Passed 1st Reading</p> <p>5/12/2021 Regular Message Sent to Senate</p>	<p>Raises the punishment for abuse/neglect of a disabled or elder adult.</p> <p>If serious injury from abuse – Class E Felony If injury – Class G Felony If serious injury from Neglect – Class F Felony If injury – Class H Felony</p> <p>This is a good bill and is in line with the Elder Justice Act.</p>
H769	<p><u>Foster Parents' Bill of Right</u></p> <p>A BILL TO BE ENTITLED</p>	<p>https://www.ncleg.gov/BillLookup/2021/h769</p>	<p>6/16/2021 Re-ref Com On Judiciary</p>	<p>Ensures foster parents are treated w/ dignity, respect, and trust by DHHS and DSS. Includes many of the things required of foster parents.</p>

	<p>AN ACT TO PROVIDE A BILL OF RIGHTS RECOGNIZING THE RIGHTS OF FOSTER PARENTS IN THE STATE OF NORTH CAROLINA.</p>		<p>6/16/2021 Com Substitute Adopted</p> <p>6/16/2021 Reptd Fav Com Substitute</p> <p>6/7/2021 Re-ref to Health Care. If fav, re-ref to Judiciary. If fav, re-ref to Rules and Operations of the Senate</p> <p>6/7/2021 Withdrawn from Com</p> <p>5/12/2021 Ref to Com On Rules and Operations of the Senate</p> <p>5/12/2021 Passed 1st Reading</p> <p>5/12/2021 Regular Message Received from House</p> <p>5/12/2021 Regular Message Sent to Senate</p>	<p>Concerns: Some things in this bill need to be expanded upon to indicate when it is in the best interest of the child, on an as needed to know basis etc.</p> <p>There were some changes that eliminated some of the concerns. "When in the best interest of the child" was added in some places.</p> <p>Community Substitute changes verbiage regarding a foster parent's use of reasonable and prudent parent standard in determining whether a foster parent can allow a child in the foster parent's care to participate in educational field trips, and extracurricular, enrichment, and social activities. Removes wording "Provide or withhold permission from, without prior approval of the county department of social services, guardian ad litem, or court, the child in the foster parents' care to participate in normal childhood activities."</p>
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H823	<u>Child Advocacy Centers/Share Information</u> A BILL TO BE ENTITLED AN ACT TO SET CERTAIN ELIGIBILITY CRITERIA FOR CHILD ADVOCACY CENTERS TO BE ELIGIBLE FOR THE RECEIPT OF STATE FUNDS.	https://www.ncleg.gov/BillLookup/2021/h823	5/12/2021 Ref to Com On Rules and Operations of the Senate 5/12/2021 Passed 1st Reading 5/12/2021 Regular Message Received from House 5/12/2021 Regular message sent to Senate	Child Advocacy Centers would have to meet certain eligibility requirements in order to receive state or federal funds.
S552	<u>Limit Who May Advertise/Adoption Laws</u> A BILL TO BE ENTITLED AN ACT TO LIMIT WHO MAY ADVERTISE FOR THE ADOPTION OF A MINOR CHILD UNDER THE LAWS PERTAINING TO ADOPTIONS	https://www.ncleg.gov/BillLookup/2021/s552	5/10/2021 Ref to Com On Rules, Calendar, and Operations of the House 5/10/2021 Passed 1st Reading 5/10/2021 Regular Message Received from Senate 5/7/2021 Regular Message Sent to House	No one other than a county department of social services, or a child-placing agency licensed by the Department in this State may advertise in any periodical or newspapers, or by radio, television, or other public medium, that any person or entity will place or accept a child for adoption.

H473	<p>Revise Laws/Safe Surrender/Infants</p> <p>A BILL TO BE ENTITLED AN ACT TO REVISE THE LAWS PERTAINING TO THE SAFE SURRENDER OF INFANTS UNDER THE ABUSE, NEGLECT, AND DEPENDENCY LAWS AND TO MAKE CONFORMING STATUTORY CHANGES.</p>	https://www.ncleg.gov/BillLookup/2021/H473	<p>5/6/2021 Ref to Com On Rules and Operations of the Senate</p> <p>5/6/2021 Passed 1st Reading</p> <p>5/6/2021 Regular Message Received from the House</p> <p>5/6/2021 Regular Message Sent to Senate</p>	<p>Makes various changes to the Safe Surrender Laws. Adds a definition if a child is neglected the child is not safe surrendered; specifies to whom a child should be safe surrendered to. The major concern is DSS would not actually have custody of the child because the law talks about custody from person to person, so what authority would DSS have.</p> <p>Concern that just by virtue of the surrender DSS has the surrendering parent's rights to legal and physical custody without obtaining a court order. Language was added that DSS may apply exparte to the district court for an order confirming custody for purposes of obtaining a certified copy of the birth certificate, a social security number or federal and state benefits for the child.</p>
H604	<p>Optional Courtesy Safety Call/Child Care</p> <p>A BILL TO BE ENTITLED AN ACT FOR CHILD CARE FACILITIES TO HAVE THE OPTION OF CONDUCTING COURTESY MORNING SAFETY CALLS FOR ABSENT CHILDREN TO ENSURE CHILD SAFETY.</p>	https://www.ncleg.gov/BillLookup/2021/h604	<p>5/12/2021 Ref to Com On Rules and Operations of the Senate</p> <p>5/12/2021 Passed 1st Reading</p> <p>5/12/2021 Regular Message Received from House</p> <p>5/12/2021 Regular Message Sent to Senate</p>	<p>To ensure child safety, as well as reduce the number of child vehicular heat stroke deaths, it is recommended that a child care facility, as defined in G.S. 110-86, have the option to conduct a courtesy morning safety call to the parent or guardian of a child who is 5 years of age or younger and enrolled in the child care facility upon determining the child's absence when the parent or guardian has not provided prior notice of the child's absence to the facility. The child care facility may place the optional courtesy morning safety call no later than 30 minutes after the anticipated time the child should have arrived at the child care facility.</p> <p>Ensure the parents or guardians of children enrolled in the facility are informed of the optional courtesy morning safety call process and the method by which the notifications shall be delivered if their child is absent.</p>

				Maintain a log with the method by which the facility communicated the child's absence to the parent or guardian and the date and time of the communication 24 if the optional courtesy morning safety call is made.
S539	<p>Disclose Human Trafficking Conviction/Custody.</p> <p>A BILL TO BE ENTITLED AN ACT TO REQUIRE DISCLOSURE OF A CONVICTION FOR HUMAN TRAFFICKING IN A CHILD CUSTODY PROCEEDING AND TO EXPAND THE CONDUCT PROHIBITED BY THE HUMAN TRAFFICKING LAW.</p>	https://www.ncleg.gov/BillLookup/2021/s539	<p>4/27/2021 Ref to Com On Rules, Calendar, and Operations of the House 4/27/2021 Passed 1st Reading</p> <p>4/26/2021 Regular Message Received from Senate</p> <p>4/26/2021 Regular Message Sent to House</p>	<p>Any person instituting an action or proceeding for custody ex parte who has been convicted of a sexually violent offense as defined, a human trafficking offense, or sexual exploitation of a minor offense shall disclose the conviction in the pleadings. Any person instituting an action or proceeding for custody who has been granted or denied custody of any minor child in an action under Chapter 50B of the General Statutes in any jurisdiction shall disclose the filing of the action or proceeding.</p> <p>In cases in which a nonparent is seeking custody of a minor child or being given custody in a consent order, the nonparent shall attest in the pleadings or the consent order that nothing of value has been paid or given, offered to be paid or given, or promised, directly or indirectly, in exchange for the minor child. Money or property offered or paid by a parent to a nonparent as support for the minor child shall not be considered value given in exchange for custody of the child.</p>