

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

H.B. 145
Feb 16, 2023
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30075-LU-48A

Short Title: Social Services Reform.

(Public)

Sponsors: Representative Stevens.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO IMPLEMENT PROVISIONS RELATED TO SOCIAL SERVICES REFORM.
3 The General Assembly of North Carolina enacts:

4 **SECTION 1.(a)** G.S. 108A-9 reads as rewritten:

5 "**§ 108A-9. Duties and responsibilities.**

6 The county board of social services shall have the following duties and responsibilities:

- 7 (1) To select the county director of social services according to the merit system
8 rules of the North Carolina Human Resources ~~Commission;~~Commission.
9 (2) To advise county and municipal authorities in developing policies and plans
10 to improve the social conditions of the ~~community;~~community.
11 (3) To consult with the director of social services about problems relating to his
12 office, and to assist him in planning budgets for the county department of
13 social ~~services;~~services.
14 (4) To transmit or present the budgets of the county department of social services
15 for public assistance, social services, and administration to the board of county
16 ~~commissioners;~~commissioners.
17 (4a) To attend education and training sessions provided for new board members
18 during the first year they serve on the board.
19 (5) To have such other duties and responsibilities as the General Assembly, the
20 Department of Health and Human Services or the Social Services Commission
21 or the board of county commissioners may assign to it."

22 **SECTION 1.(b)** The Department of Health and Human Services, Division of Social
23 Services, shall collaborate with key stakeholders, including the North Carolina Association of
24 County Boards of Social Services, Association of North Carolina County Social Services
25 Directors, North Carolina Association of County Commissioners, and the University of North
26 Carolina School of Government, to create formal education and training sessions for new county
27 board of social services members in accordance with G.S. 108A-9(4a), as enacted in subsection
28 (a) of this section. The education and training sessions shall include a segment on the potential
29 liabilities of the county board of social services. The education and training sessions shall be
30 available statewide by March 1, 2024.

31 **SECTION 1.(c)** Subsection (b) of this section is effective when it becomes law.
32 Subsection (a) of this section becomes effective October 1, 2023, and by October 1, 2025, all
33 current county board of social services members must have participated in the education and
34 training sessions provided in G.S. 108A-9(4a).

35 **SECTION 2.** The Administrative Office of the Courts shall conduct a feasibility and
36 cost study of a proposed child support tribunal, with dedicated court officers to hear child support



1 matters, using quasi-judicial procedures. The study shall include, at a minimum, strategies to
2 address funding, staffing, and a plan for how the proposed changes will be implemented. The
3 Administrative Office of the Courts shall submit a report of its findings and recommendations to
4 the Joint Legislative Oversight Committee on Health and Human Services by March 1, 2024.

5 **SECTION 3.(a)** Part 2B of Article 1 of Chapter 108A of the General Statutes is
6 amended by adding a new section to read:

7 **"§ 108A-15.16. Conflicts of interest.**

8 When conflicts of interest arise in the provision of social services provided by county
9 departments of social services, county departments of social services shall work expeditiously to
10 resolve those conflicts consistent with applicable law and any policies and procedures established
11 by the Department of Health and Human Services. Policies and procedures shall address county
12 financial and practice responsibilities associated with conflicts of interest. Upon identifying a
13 conflict of interest, the county shall notify the appropriate authority within the Department of
14 Health and Human Services of the conflict. The Department of Health and Human Services shall
15 have authority to make final decisions regarding conflicts of interest assignments when disputes
16 arise, with regional staff having initial authority when a dispute arises between county
17 departments of social services and central office staff having initial authority when disputes arise
18 between regions. The Social Services Commission shall adopt rules regarding conflicts of interest
19 management, including establishing reasonable and specific time lines for resolving conflicts of
20 interest. For purposes of this section, a "conflict of interest" occurs when a county department of
21 social services is not able to manage the adverse interests of two individuals that the department
22 of social services owes a duty to serve, or because of a preexisting relationship between an
23 individual and a county that results in a county department of social services' inability to
24 objectively fulfill its statutory responsibilities, or when the provision of social services and duty
25 owed by a county department of social services conflicts with services and the duty owed by
26 another county department of social services."

27 **SECTION 3.(b)** The Social Services Commission shall report to the Joint Legislative
28 Oversight Committee on Health and Human Services upon adopting rules pursuant to
29 G.S. 108A-15.16, as enacted in subsection (a) of this section.

30 **SECTION 4.** This act is effective when it becomes law.