

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE DRH50286-MG-35B (02/07)

Short Title: Establish HHS Oversight Committee.

(Public)

Sponsors: Representative Barnhart.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON
3 HEALTH AND HUMAN SERVICES, TO TRANSFER THE DUTIES OF CERTAIN
4 OVERSIGHT COMMITTEES AND STUDY COMMISSIONS TO THE NEWLY
5 ESTABLISHED JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH
6 AND HUMAN SERVICES, AND TO MAKE CONFORMING CHANGES.

7 The General Assembly of North Carolina enacts:

8 SECTION 1.(a) Chapter 120 of the General Statutes is amended by adding a new
9 Article to read:

10 "Article 23A.

11 "Joint Legislative Oversight Committee on Health and Human Services.

12 "**§ 120-208. Creation and membership of Joint Legislative Oversight Committee on**
13 **Health and Human Services.**

14 The Joint Legislative Oversight Committee on Health and Human Services is established.
15 The Committee consists of 22 members as follows:

- 16 (1) Eleven members of the Senate appointed by the President Pro Tempore of
17 the Senate, at least two of whom are members of the minority party.
18 (2) Eleven members of the House of Representatives appointed by the Speaker
19 of the House of Representatives, at least three of whom are members of the
20 minority party.

21 Terms on the Committee are for two years and begin on the convening of the General
22 Assembly in each odd-numbered year. Members may complete a term of service on the
23 Committee even if they do not seek reelection or are not reelected to the General Assembly, but
24 resignation or removal from service in the General Assembly constitutes resignation or removal
25 from service on the Committee.

26 A member continues to serve until a successor is appointed. A vacancy shall be filled
27 within 30 days by the officer who made the original appointment.

28 "**§ 120-208.1. Purpose and powers of Committee.**

29 (a) The Joint Legislative Oversight Committee on Health and Human Services shall
30 examine, on a continuing basis, the systemwide issues affecting the development, budgeting,
31 financing, administration, and delivery of health and human services, including issues relating
32 to the governance, accountability, and quality of health and human services delivered to
33 individuals and families in this State. The Committee shall make ongoing recommendations to
34 the General Assembly on ways to improve the quality and delivery of services and to maintain



1 a high level of effectiveness and efficiency in system administration at the State and local
2 levels. In conducting its examination, the Committee shall do all of the following:

3 (1) Study the budgets, programs, and policies of each Division within the
4 Department of Health and Human Services, to determine ways in which the
5 General Assembly may encourage improvement in the budgeting and
6 delivery of health and human services provided to North Carolinians.

7 (2) Examine, in particular, issues relating to services provided by the following
8 divisions within the Department of Health and Human Services:

9 a. Aging and Adult Services.

10 b. Medical Assistance.

11 c. Mental Health, Developmental Disabilities, and Substance Abuse
12 Services.

13 d. Public Health.

14 e. Social Services.

15 (3) Study other states' health and human services initiatives, in order to provide
16 an ongoing commentary to the General Assembly on these initiatives and to
17 make recommendations for implementing similar initiatives in North
18 Carolina.

19 (4) Study any other health and human services matters that the Committee
20 considers necessary to fulfill its mandate.

21 (b) The Committee may make interim reports to the General Assembly on matters for
22 which it may report to a regular session of the General Assembly. A report to the General
23 Assembly may contain any legislation needed to implement a recommendation of the
24 Committee.

25 **"§ 120-208.2. Organization of Committee.**

26 (a) The President Pro Tempore of the Senate and the Speaker of the House of
27 Representatives shall each designate a cochair of the Joint Legislative Oversight Committee on
28 Health and Human Services. The Committee shall meet at least once per quarter, except while
29 the General Assembly is in regular session, and may meet at other times upon the joint call of
30 the cochairs.

31 (b) A quorum of the Committee is 10 members. No action may be taken except by a
32 majority vote at a meeting at which a quorum is present. While in the discharge of its official
33 duties, the Committee has the powers of a joint committee under G.S. 120-19 and
34 G.S. 120-19.1 through G.S. 120-19.4.

35 (c) Members of the Committee receive subsistence and travel expenses as provided in
36 G.S. 120-3.1. The Committee may contract for consultants or hire employees in accordance
37 with G.S. 120-32.02. The Legislative Services Commission, through the Legislative Services
38 Officer, shall assign professional staff to assist the Committee in its work. Upon the direction
39 of the Legislative Services Commission, the Supervisors of Clerks of the Senate and of the
40 House of Representatives shall assign clerical staff to the Committee. The expenses for clerical
41 employees shall be borne by the Committee.

42 (d) The Committee cochairs may establish subcommittees for the purpose of examining
43 issues relating to services provided by particular divisions within the Department of Health and
44 Human Services. The division directors shall serve as ex officio, nonvoting members of any
45 subcommittee responsible for examining issues related to that director's division.

46 **"§ 120-208.3. Additional powers.**

47 The Joint Legislative Oversight Committee on Health and Human Services, while in
48 discharge of official duties, shall have access to any paper or document, and may compel the
49 attendance of any State official or employee before the Committee or secure any evidence
50 under G.S. 120-19. In addition, G.S. 120-19.1 through G.S. 120-19.4 shall apply to the
51 proceedings of the Committee as if it were a joint committee of the General Assembly.

1 **"§ 120-208.4. Reports to Committee.**

2 Whenever a division within the Department of Health and Human Services is required by
3 law to report to the General Assembly or to any of its permanent, study, or oversight
4 committees or subcommittees on matters affecting that division, the Department shall transmit
5 a copy of the report to the cochairs of the Joint Legislative Oversight Committee on Health and
6 Human Services."

7 **SECTION 1.(b)** The duties of the following commissions and committees are
8 transferred to the Joint Legislative Oversight Committee on Health and Human Services,
9 established by subsection (a) of this section:

- 10 (1) North Carolina Study Commission on Aging.
11 (2) Joint Legislative Health Care Oversight Committee.
12 (3) Joint Legislative Oversight Committee on Mental Health, Developmental
13 Disabilities, and Substance Abuse Services.
14 (4) Public Health Study Commission.

15 **SECTION 1.(c)** The following portions of Chapter 120 of the General Statutes are
16 repealed:

- 17 (1) G.S. 120-70.110 through G.S. 120-70.112 (Article 12M, pertaining to the
18 Joint Legislative Health Care Oversight Committee).
19 (2) G.S. 120-180 through G.S. 120-188 (Article 21, pertaining to the North
20 Carolina Study Commission on Aging).
21 (3) G.S. 120-195 through G.S. 120-203 (Article 22, pertaining to the Public
22 Health Study Commission).
23 (4) G.S. 120-240 through G.S. 120-244 (Article 27, pertaining to the Joint
24 Legislative Oversight Committee on Mental Health, Developmental
25 Disabilities, and Substance Abuse Services).

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