

GENERAL ASSEMBLY OF NORTH CAROLINA  
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SENATE BILL 693  
Judiciary Committee Substitute Adopted 5/6/21  
House Committee Substitute Favorable 6/29/21  
House Committee Substitute #2 Favorable 8/18/21

Short Title: Expedite Child Safety and Permanency.

(Public)

Sponsors:

Referred to:

April 8, 2021

A BILL TO BE ENTITLED

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 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 MENTAL HEALTH SERVICES.

The General Assembly of North Carolina enacts:

**PART I. CHILD WELFARE REFORM**

**SECTION 1.(a)** G.S. 7B-101 reads as rewritten:

**"§ 7B-101. Definitions.**

As used in this Subchapter, unless the context clearly requires otherwise, the following words have the listed meanings:

...

(15) Neglected juvenile. – Any juvenile less than 18 years of age (i) who is found to be a minor victim of human trafficking under G.S. 14-43.15 or (ii) whose parent, guardian, custodian, or caretaker does any of the following:

a. Does not provide proper care, supervision, or discipline; or who has been abandoned; discipline.

b. Has abandoned the juvenile.

c. ~~or who is~~ Has not provided or arranged for the provision of necessary medical care; or who is not provided necessary remedial care; care.

d. Creates or who lives in an allows to be created a living environment that is injurious to the juvenile's welfare; welfare.

e. ~~or~~ Has participated or attempted to participate in the unlawful transfer of custody of whom has been unlawfully transferred the juvenile under G.S. 14-321.2; G.S. 14-321.2.



f. ~~or who has been~~ Has placed the juvenile for care or adoption in violation of law.

In determining whether a juvenile is a neglected juvenile, it is relevant whether that juvenile lives in a home where another juvenile has died as a result of suspected abuse or neglect or lives in a home where another juvenile has been subjected to abuse or neglect by an adult who regularly lives in the home.

...

(18a) Relative. – An individual directly related to the juvenile by blood, marriage, or adoption, including, but not limited to, a grandparent, sibling, aunt, or uncle.

~~(18a)~~(18b) Responsible individual. – A parent, guardian, custodian, caretaker, or individual responsible for subjecting a juvenile to human trafficking under G.S. 14-43.11, 14-43.12, or 14-43.13, who abuses or seriously neglects a juvenile.

~~(18b)~~(18c) Return home or reunification. – Placement of the juvenile in the home of either parent or placement of the juvenile in the home of a guardian or custodian from whose home the child was removed by court order.

...."

**SECTION 1.(b)** G.S. 7B-1001(a)(5) reads as rewritten:

"(5) An order under G.S. 7B-906.2(b) eliminating reunification, as defined by ~~G.S. 7B-101(18b)~~, G.S. 7B-101(18c), as a permanent plan by either of the following:

a. A parent who is a party and:

1. Has preserved the right to appeal the order in writing within 30 days after entry and service of the order.
2. A termination of parental rights petition or motion has not been filed within 65 days of entry and service of the order.
3. A notice of appeal of the order eliminating reunification is filed within 30 days after the expiration of the 65 days.

b. A party who is a guardian or custodian with whom reunification is not a permanent plan."

**SECTION 1.(c)** G.S. 7B-302 reads as rewritten:

**"§ 7B-302. Assessment by director; military affiliation; access to confidential information; notification of person making the report.**

...

(a3) Except where prohibited by federal law, including state plan requirements within federal programs, and notwithstanding other applicable State law, any of the following may request access to confidential information and records maintained pursuant to this Article by the Department or a county department of social services:

(1) An individual member of the North Carolina General Assembly.

(2) A joint legislative oversight committee of the North Carolina General Assembly.

A request made pursuant to this subsection shall be made to the Department or to the director of a county department of social services. The request shall be limited to purposes necessary for oversight of programs related to child protective services. Upon receiving a request pursuant to this subsection, the Department shall coordinate with the county department of social services to obtain all necessary information or records responsive to the request. A county department of social services shall provide the Department with all information and records, or copies of records, as requested. The Department shall share the confidential information and make the records concerning the child protective services case available to the requesting member or committee for review. If the request is made to the director of a county department of social

1 services, the Department shall assist the director of the county department of social services in  
2 fulfilling the request and providing all necessary information or records in accordance with this  
3 subsection.

4 The confidential information or records shared pursuant to this subsection shall be the  
5 minimum necessary to satisfy the request. A member of the North Carolina General Assembly  
6 or joint legislative oversight committee shall not retain or receive copies of any part of the  
7 information and records or take photographs or create electronic images of any information and  
8 records reviewed pursuant to a request under this subsection. All information and records shared  
9 pursuant to this subsection shall be withheld from public inspection and maintained in a  
10 confidential manner. The following information shall remain confidential and shall not be shared  
11 or disclosed in response to a request for information and records made pursuant to this subsection:

12 (1) The identity of a reporter.

13 (2) Juvenile court records as set forth in Article 29 of Subchapter III of this  
14 Chapter and Article 30 of Subchapter III of this Chapter.

15 (a4) Any violation of subsection (a3) of this section shall be punishable as a Class 1  
16 misdemeanor.

17 (a5) The disclosure of confidential information pursuant to subsection (a3) of this section  
18 may only be requested for information received or created by the agency on or after the effective  
19 date of this section.

20 ...."

21 **SECTION 1.(d)** G.S. 7B-505 reads as rewritten:

22 "**§ 7B-505. Placement while in nonsecure custody.**

23 ...

24 (b) The court shall order the department of social services to make diligent efforts to  
25 notify relatives and other persons with legal custody of a sibling of the juvenile that the juvenile  
26 is in nonsecure custody and of any hearings scheduled to occur pursuant to G.S. 7B-506, unless  
27 the court finds the notification would be contrary to the best interests of the juvenile. The  
28 department of social services shall use due diligence to identify and notify adult relatives and  
29 other persons with legal custody of a sibling of the juvenile within 30 days after the initial order  
30 removing custody. The department shall file with the court information regarding attempts made  
31 to identify and notify adult relatives of the juvenile and persons with legal custody of a sibling  
32 of the juvenile. In placing a juvenile in nonsecure custody under this section, the court shall first  
33 consider whether a relative of the juvenile is willing and able to provide proper care and  
34 supervision of the juvenile in a safe home. If the court finds that the relative is willing and able  
35 to provide proper care and supervision in a safe home, then the court shall order placement of the  
36 juvenile with the relative unless the court finds that placement with the relative would be contrary  
37 to the best interests of the juvenile.

38 (c) If the court does not place the juvenile with a relative, the court may consider whether  
39 an appropriate former foster parent, nonrelative kin, or other persons with legal custody of a  
40 sibling of the juvenile are willing and able to provide proper care and supervision of the juvenile  
41 in a safe home. The court may order the department to notify the juvenile's State-recognized tribe  
42 of the need for nonsecure custody for the purpose of locating relatives or nonrelative kin for  
43 placement. The court may order placement of the juvenile with nonrelative kin if the court finds  
44 the placement is in the juvenile's best interests."

45 **SECTION 1.(e)** G.S. 7B-903 is amended by adding a new subsection to read:

46 "(a4) If the court does not place the juvenile with a relative, the court may consider whether  
47 nonrelative kin or other persons with legal custody of a sibling of the juvenile are willing and  
48 able to provide proper care and supervision of the juvenile in a safe home. The court may order  
49 the department to notify the juvenile's State-recognized tribe of the need for custodial care for  
50 the purpose of locating relatives or nonrelative kin for placement. The court may order placement

1 of the juvenile with nonrelative kin if the court finds the placement is in the juvenile's best  
2 interests."

3 **SECTION 1.(f)** G.S. 7B-903.1(c) reads as rewritten:

4 "(c) If a juvenile is removed from the home and placed in the custody or placement  
5 responsibility of a county department of social services, the director shall not allow unsupervised  
6 visitation with or return physical custody of the juvenile to the parent, guardian, custodian, or  
7 caretaker without a hearing at which the court finds that the juvenile will receive proper care and  
8 supervision in a safe home. Before a county department of social services may recommend  
9 unsupervised visits or return of physical custody of the juvenile to the parent, guardian, custodian,  
10 or caretaker from whom the juvenile was removed, a county department of social services shall  
11 first observe that parent, guardian, custodian, or caretaker with the juvenile for at least two visits  
12 that support a recommendation to return physical custody. the recommendation. Each  
13 observation visit shall consist of an observation of not less than one hour with the juvenile, and  
14 each observation visit shall be conducted at least seven days apart. apart, and shall occur within  
15 30 days of the hearing at which the department of social services makes the recommendation. A  
16 department of social services shall provide documentation of any observation visits that it  
17 conducts to the court for its consideration as to whether unsupervised visits or physical custody  
18 should be returned granted to the parent, guardian, custodian, or caretaker from whom the  
19 juvenile was removed."

20 **SECTION 1.(g)** G.S. 7B-905.1 is amended by adding a new subsection to read:

21 "(b1) When visitation, whether supervised or unsupervised, is ordered between a juvenile  
22 who is placed in or continued in the custody or placement responsibility of a county department  
23 of social services and a parent, a parent's positive result from a drug screen alone is insufficient  
24 to deny the parent court-ordered visitation with the juvenile. For parents with unsupervised  
25 visitation that have a positive result from a drug screen, the department of social services shall  
26 expeditiously file a motion for review and request that a hearing be scheduled within 30 days for  
27 the court to review the visitation plan to ensure the safety of the child. While the motion is  
28 pending, the director may temporarily impose supervision requirements to all or part of the  
29 visitation plan. The director shall promptly communicate the limited and temporary change in  
30 the visitation plan to the affected party. Nothing in this subsection prevents a visit from being  
31 cancelled if, at the time that visitation between the parent and the juvenile occurs, a parent is  
32 under the influence of drugs or alcohol and exhibits behavior that may create an unsafe  
33 environment for a child, or the parent appears to be actively impaired."

34 **SECTION 1.(h)** G.S. 7B-906.1 reads as rewritten:

35 "**§ 7B-906.1. Review and permanency planning hearings.**

36 (a) The court shall conduct a review or permanency planning hearing within 90 days from  
37 the date of the initial dispositional hearing held pursuant to G.S. 7B-901. Review or permanency  
38 planning hearings shall be held at least every six months thereafter. ~~Within 12 months of the date~~  
39 ~~of the initial order removing custody, there shall be a review~~ If custody has not been removed  
40 from a parent, guardian, caretaker, or custodian, the hearing shall be designated as a permanency  
41 planning review hearing. Review hearings after the initial permanency planning ~~If custody has~~  
42 been removed from a parent, guardian, or custodian, the hearing shall be designated as  
43 permanency planning hearings. Permanency planning hearings shall be held at least every six  
44 months thereafter or earlier as set by the court to review the progress made in finalizing the  
45 permanent plan for the juvenile, or if necessary, to make a new permanent plan for the  
46 juvenile hearing.

47 ...

48 (c) At each hearing, the court shall consider information from the parents, the juvenile,  
49 the guardian, any person ~~providing care for the juvenile,~~ with whom the juvenile is placed, the  
50 custodian or agency with custody, the guardian ad litem, and any other person or agency that will  
51 aid in the court's review. The court shall provide any person with whom the child is placed the

1 opportunity to address the court regarding the juvenile's well-being. The court may consider any  
2 evidence, including hearsay evidence as defined in G.S. 8C-1, Rule 801, or testimony or evidence  
3 from any person that is not a party, that the court finds to be relevant, reliable, and necessary to  
4 determine the needs of the juvenile and the most appropriate disposition.

5 (d) At each hearing, the court shall consider the following criteria and make written  
6 findings regarding those that are relevant:

7 (1) Services which have been offered to prevent the removal or reunite the  
8 juvenile with either parent whether or not the juvenile resided with the parent  
9 at the time of removal or the guardian or custodian from whom the child was  
10 removed.

11 (1a) Reports on the juvenile's continuation in the home of the parent, guardian, or  
12 custodian; and the appropriateness of the juvenile's continuation in that home.  
13 If the juvenile is removed from the custody of a parent, guardian, or custodian  
14 at a review hearing, the court shall schedule a permanency planning hearing  
15 within 30 days of the review, unless the hearing was noticed and heard as a  
16 permanency planning hearing.

17 ...

18 (3) Whether efforts to reunite the juvenile with either parent clearly would be  
19 unsuccessful or inconsistent with the juvenile's health or safety and need for a  
20 safe, permanent home within a reasonable period of time. The court shall  
21 consider efforts to reunite regardless of whether the juvenile resided with the  
22 parent, guardian, or custodian at the time of removal. ~~If the court determines~~  
23 ~~efforts would be unsuccessful or inconsistent, the court shall schedule a~~  
24 ~~permanency planning hearing within 30 days to address the permanent plans~~  
25 ~~in accordance with this section and G.S. 7B-906.2, unless the determination~~  
26 ~~is made at a permanency planning hearing.~~

27 ...

28 (6) ~~When and if termination of parental rights should be considered.~~

29 ...

30 (d1) At any review hearing, the court may maintain the juvenile's placement under review  
31 or order a different placement, appoint an individual guardian of the person pursuant to  
32 G.S. 7B-600, or order any disposition authorized by G.S. 7B-903, including the authority to place  
33 the child in the custody of either parent or any relative found by the court to be suitable and found  
34 by the court to be in the best interests of the juvenile.

35 (d2) Absent extraordinary circumstances, when the parent, guardian, or custodian has  
36 successfully completed the court-ordered services and the juvenile is residing in a safe home, the  
37 court may waive further review hearings or terminate its jurisdiction in accordance with this  
38 subsection or G.S. 7B-911.

39 (e) At any permanency planning hearing where the juvenile is not placed with a parent,  
40 the court shall additionally consider the following criteria and make written findings regarding  
41 those that are relevant:

42 ...

43 (3) Where the juvenile's placement with a parent is unlikely within six months,  
44 whether adoption should be pursued and, if so, any barriers to the juvenile's  
45 ~~adoption~~ adoption, including when and if termination of parental rights should  
46 be considered.

47 ...

48 (k) If at any time a juvenile has been removed from a parent and legal custody is placed  
49 with a awarded to either parent or findings are made in accordance with subsection (n) of this  
50 section, the court shall be relieved of the duty to conduct periodic judicial reviews of the  
51 placement.

1       (k1) The court shall not waive or refuse to conduct a review hearing if a party files a motion  
 2 seeking the review hearing.

3       ...  
 4       (n) Notwithstanding other provisions of this Article, the court may waive the holding of  
 5 hearings required by this section, may require written reports to the court by the agency or person  
 6 holding custody in lieu of ~~review~~permanency planning hearings, or order that ~~review~~  
 7 permanency planning hearings be held less often than every six months if the court finds by clear,  
 8 cogent, and convincing evidence each of the following:

9       ...  
 10       (3) Neither the juvenile's best interests nor the rights of any party require that  
 11 ~~review~~permanency planning hearings be held every six months.

12       ...  
 13       The court may not waive or refuse to conduct a ~~review~~ hearing if a party files a motion  
 14 seeking the ~~review~~hearing. However, if a guardian of the person has been appointed for the  
 15 juvenile and the court has also made findings in accordance with subsection (n) of this section  
 16 that guardianship is the permanent plan for the juvenile, the court shall proceed in accordance  
 17 with G.S. 7B-600(b).

18       ...."

19       **SECTION 1.(i)** G.S. 131D-10.6A(a) reads as rewritten:

20       "(a) The Division of Social Services, Department of Health and Human Services, shall  
 21 require a minimum of 30 hours of preservice training for foster care parents either prior to  
 22 licensure or within six months from the date a provisional license is issued pursuant to  
 23 G.S.131D-10.3, and a mandated minimum of 10 hours of continuing education for all foster care  
 24 parents annually after the year in which a license is obtained. As part of licensure, the training  
 25 shall include a module that is created and made available by the Department that explains, at a  
 26 minimum, the roles and obligations of a foster parent in judicial proceedings conducted under  
 27 Subchapter I of Chapter 7B of the General Statutes."

28       **SECTION 1.(j)** G.S. 7B-905(b) is repealed.

29       **SECTION 1.(k)** G.S. 7B-906.2(b) reads as rewritten:

30       "(b) At any permanency planning hearing, the court shall adopt concurrent permanent  
 31 plans and shall identify the primary plan and secondary plan. Reunification shall be a primary or  
 32 secondary plan unless the court made written findings under G.S. 7B-901(c) or  
 33 G.S. 7B-906.1(d)(3), the permanent plan is or has been achieved in accordance with subsection  
 34 (a1) of this section, or the court makes written findings that reunification efforts clearly would  
 35 be unsuccessful or would be inconsistent with the juvenile's health or safety. The finding that  
 36 reunification efforts clearly would be unsuccessful or inconsistent with the juvenile's health or  
 37 safety may be made at any permanency planning hearing. Unless permanence has been achieved,  
 38 the court shall order the county department of social services to make efforts toward finalizing  
 39 the primary and secondary permanent plans and may specify efforts that are reasonable to timely  
 40 achieve permanence for the juvenile."

41       **SECTION 1.(l)** G.S. 7B-1103(a) reads as rewritten:

42       "(a) A petition or motion to terminate the parental rights of either or both parents to his,  
 43 her, or their minor juvenile may only be filed by one or more of the following:

44       ...

45       (5) Any person with whom the juvenile has resided for a continuous period of ~~two~~  
 46 years-18 months or more next preceding the filing of the petition or motion.

47       ...."

48       **SECTION 1.(m)** This section becomes effective October 1, 2021, and applies to  
 49 actions filed or pending on or after that date.

50  
 51 **PART II. HUMAN TRAFFICKING NOTICE TO NONCARETAKER CLARIFICATION**

1           **SECTION 2.(a)** G.S. 7B-320 reads as rewritten:

2   "**§ 7B-320. Notification to individual determined to be a responsible individual.**

3       (a) After the completion of an investigative assessment response that results in a  
4 determination of abuse or serious neglect and the identification of a responsible individual, the  
5 director shall personally deliver written notice of the determination to the identified individual in  
6 an expeditious manner.

7       (a1) If the director determines that the juvenile is the victim of human trafficking by an  
8 individual other than the juvenile's parent, guardian, custodian, or caretaker, the director shall  
9 cooperate with the local law enforcement agency and district attorney to determine the safest  
10 way, if possible, to provide notification to the identified responsible individual. If the director  
11 does not provide notification in accordance with this subsection, the director shall document the  
12 reason and basis for not providing the notification.

13       The director shall not provide notification to the responsible individual or proceed further  
14 under this Article if notification is likely to cause any of the following to occur:

15           (1) Cause mental or physical harm or danger to the juvenile.

16           (2) Undermine an ongoing or future criminal investigation.

17           (3) Jeopardize the State's ability to prosecute the identified responsible individual.

18       ...."

19       **SECTION 2.(b)** This section becomes effective October 1, 2021.

### 20 **PART III. IMPLEMENTATION OF STATEWIDE CPS HOTLINE**

21       **SECTION 3.(a)** The Department of Health and Human Services shall develop an  
22 operational plan to create and implement a statewide child protective services (CPS) hotline. The  
23 Department shall establish a planning and evaluation team consisting of three child welfare staff  
24 representing at least three county departments of social services that will provide input on the  
25 plan. The plan shall include, at a minimum, all of the following:

26           (1) A fiscal analysis on the creation and implementation of a statewide CPS  
27 hotline.

28           (2) Quantify the total up-front, one-time costs to implement the statewide CPS  
29 hotline, including any State or county savings that would be incurred through  
30 the full implementation of and transition to a statewide CPS hotline.

31           (3) Recommendations on the operational needs for the statewide CPS hotline,  
32 including adequate staffing levels to ensure a responsive and timely system.

33           (4) Evaluation of whether a county may opt out of the statewide CPS hotline.

34           (5) Recommendations of defined measures, goals, and service level agreements  
35 to evaluate the performance of the hotline.

36           (6) A time line for implementation of the statewide CPS hotline that is aligned  
37 and coordinated with the Department of Health and Human Services, Division  
38 of Social Services, and local county departments of social services, including  
39 the implementation of intake and assessment technology as a precondition to  
40 the operation of a statewide CPS hotline.

41           (7) An assessment of the feasibility of an integrated statewide CPS hotline for  
42 both child protective services and adult protective services.

43       **SECTION 3.(b)** The Department shall submit the operational plan to the Joint  
44 Legislative Oversight Committee on Health and Human Services no later than September 1,  
45 2022.

### 46 **PART IV. DEVELOP A PLAN TO INCREASE APPROPRIATE TREATMENT AND RESIDENTIAL SETTINGS**

47       **SECTION 4.(a)** The Department of Health and Human Services shall develop a plan  
48 to increase the supply of appropriate treatment and residential settings for minors in need of  
49

1 behavioral and mental health services. The Department shall work in consultation with  
2 representatives from the local management entities/managed care organizations (LME/MCOs),  
3 the county departments of social services, the Division of Juvenile Justice, the North Carolina  
4 Healthcare Association, and other key stakeholders to resolve the barriers to clinical care and  
5 identify a process to quickly place children into appropriate treatment and residential settings.  
6 The plan shall address minors that are in the custody of a county department of social services  
7 and minors who are not, and include, at a minimum, all of the following:

- 8 (1) A description of the need and current adequacy of available resources across  
9 North Carolina.
- 10 (2) Specific and measurable action steps for increasing the supply of appropriate  
11 and least restrictive services and settings.
- 12 (3) A time line for increasing the supply of appropriate and least restrictive  
13 services and settings.
- 14 (4) The estimated costs and staffing to fully implement the plan.

15 **SECTION 4.(b)** The Department shall submit the plan to the Joint Legislative  
16 Oversight Committee on Health and Human Services no later than October 1, 2021.

17 **SECTION 4.(c)** This section is effective when it becomes law.

## 18 19 **PART V. PROVIDE SAFE AND APPROPRIATE PLACEMENT FOR CHILDREN IN** 20 **NEED OF MENTAL HEALTH SERVICES**

21 **SECTION 5.(a)** Article 4 of Chapter 122C of the General Statutes is amended by  
22 adding a new section to read:

### 23 **"§ 122C-142.2. Presentation at a hospital for mental health treatment.**

24 (a) Definitions. – The following definitions apply in this section:

- 25 (1) Assessment. – A comprehensive clinical assessment, psychiatric evaluation,  
26 or a substantially equivalent assessment.
- 27 (2) Director. – The director of the department of social services in the county in  
28 which the juvenile resides or is found, or the director's representative as  
29 authorized in G.S. 108A-14.

30 (b) If a juvenile in the custody of a department of social services presents to a hospital  
31 emergency department for mental health treatment, the director shall contact the appropriate  
32 LME/MCO or prepaid health plan within 24 hours of the determination that the juvenile should  
33 not remain at the hospital and no appropriate placement is immediately available, to request an  
34 assessment.

35 (c) Consistent with the care coordination responsibilities under G.S. 122C-115.4(b)(5),  
36 the LME/MCO or prepaid health plan must, when applicable or required by their contract with  
37 the Department, arrange for an assessment performed by either the juvenile's clinical home  
38 provider; the hospital, if able and willing; or other qualified licensed clinician within five  
39 business days following notification from the director.

40 (d) Based on the findings and recommendations of the assessment, all of the following  
41 must occur:

- 42 (1) If the comprehensive clinical assessment recommends a traditional foster  
43 home or a Level I group home, the director shall identify and provide the  
44 placement within five business days. The county department of social services  
45 shall be responsible for transporting the juvenile to the identified placement  
46 within five business days.
- 47 (2) If the assessment recommends a level of care requiring prior authorization by  
48 the LME/MCO or prepaid health plan, the LME/MCO or prepaid health plan  
49 shall authorize an appropriate level of care and identify appropriate providers  
50 within five business days and assign a care coordinator for the duration that  
51 the LME/MCO or prepaid health plan provides services to the juvenile. Once



1 an appropriate level of care has been authorized and providers identified, the  
2 director shall place the juvenile in the appropriate placement within five  
3 business days. The county department of social services shall be responsible  
4 for transporting the juvenile to the identified placement.

5 (e) The county department of social services shall provide ongoing case management,  
6 virtually or in person, to address the juvenile's educational and social needs during the juvenile's  
7 stay in the hospital. The hospital shall cooperate with the county department of social services to  
8 provide access to the juvenile during the juvenile's stay in the hospital.

9 (f) If, on completion of the assessment, the director under subdivision (d)(1) of this  
10 section or LME/MCO or prepaid health plan under subdivision (d)(2) of this section is unable to  
11 identify an appropriate available placement or provider for the juvenile, or if the assessment  
12 recommendations differ, the director shall immediately notify the Department of Health and  
13 Human Services' Rapid Response Team. The director, pursuant to G.S. 7B-302(a1)(1), is  
14 authorized to disclose confidential information to the Rapid Response Team to ensure the  
15 juvenile is protected from abuse or neglect and for the provision of protective services to the  
16 juvenile. All confidential information disclosed to the Rapid Response Team shall remain  
17 confidential, shall not be further redisclosed unless authorized by State or federal law or  
18 regulations, and shall not be considered a public record. Notification to the Rapid Response Team  
19 does not relieve the director, LME/MCO, prepaid health plan, or any other entity from carrying  
20 out their responsibilities to the juvenile.

21 (g) The Rapid Response Team shall be comprised of representatives of the Department  
22 of Health and Human Services from the Division of Social Services; the Division of Mental  
23 Health, Developmental Disabilities, and Substance Abuse Services; and the Division of Health  
24 Benefits. Upon receipt of a notification from a director, the Rapid Response Team shall evaluate  
25 the information provided and coordinate a response to address the immediate needs of the  
26 juvenile, which may include any of the following:

- 27 (1) Identifying an appropriate level of care for the juvenile.
- 28 (2) Identifying appropriate providers or other placement for the juvenile.
- 29 (3) Making a referral to qualified services providers.
- 30 (4) Developing an action plan to ensure the needs of the juvenile are met.
- 31 (5) Developing a plan to ensure that relevant parties carry out any responsibilities  
32 to the juvenile."

33 **SECTION 5.(b)** Article 9 of Chapter 7B of the General Statutes is amended by  
34 adding a new section to read:

35 **"§ 7B-903.2. Emergency motion for placement and payment.**

36 (a) If the requirements of G.S. 122C-142.2(b) through (f) are not satisfied, a party to the  
37 juvenile case, the Department of Health and Human Services, the hospital where the juvenile is  
38 currently located, the local management entity/managed care organization, or the prepaid health  
39 plan may make a limited appearance for the sole purpose of filing a motion in the district court  
40 in the county with jurisdiction over the juvenile in the abuse, neglect, and dependency matter  
41 regarding the juvenile's continued stay in an emergency department or subsequent admission at  
42 the hospital.

43 (b) The motion shall contain a specific description of the requirements of  
44 G.S. 122C-142.2(b) through (f) which were not satisfied.

45 (c) The motion shall be served on all parties to the juvenile proceeding pursuant to  
46 G.S. 1A-1, Rule 5. The motion shall also be served upon the hospital where the juvenile is  
47 receiving services, the local management entity/managed care organization or prepaid health plan  
48 for the juvenile, and the Department of Health and Human Services. The hospital, the local  
49 management entity/managed care organization or prepaid health plan for the juvenile, and the  
50 Department of Health and Human Services, upon service of the motion, shall automatically

1 become a party to the juvenile proceeding for the limited purpose of participating in hearings  
2 held in relation to and for complying with orders entered by the court pursuant to this section.

3 (d) Upon request of the movant, the department of social services shall provide the  
4 movant with the case file number, the juvenile's name, and the addresses of all parties and  
5 attorneys in the juvenile matter, to the extent necessary to effectuate service pursuant to  
6 subsection (c) of this section. Nothing in this section shall require the department of social  
7 services to provide the name and address of the juvenile who is a party to the action.

8 (e) The motion shall be heard in the district court with jurisdiction over the juvenile in  
9 the abuse, neglect, and dependency matter. The rules of evidence in civil cases shall apply. Any  
10 person or party served with notice of the motion pursuant to subsection (b) of this section may  
11 request to be heard by the court and present evidence. The hearing shall be conducted in  
12 accordance with G.S. 7B-801.

13 (f) The court shall make written findings of fact and conclusions of law, including  
14 whether:

15 (1) The movant established by clear and convincing evidence that there is no  
16 medical necessity for the juvenile to remain in the hospital.

17 (2) The responsible party has not satisfied the requirements of  
18 G.S. 122C-142.2(b) through (f).

19 (g) When the court finds that there is clear and convincing evidence that there is no  
20 medical necessity for the juvenile to remain in the hospital and that the responsible party has not  
21 satisfied the requirements of G.S. 122C-142.2(b) through (f), the court may order any of the  
22 following:

23 (1) That the responsible party pay reasonable hospital charges of the juvenile's  
24 continued admission at the hospital. The reasonable charges shall be limited  
25 to those incurred after the date it was no longer medically necessary for the  
26 juvenile to remain in the hospital.

27 (2) That the responsible party pay for any damage to property caused by the  
28 juvenile incurred after the date it was no longer medically necessary for the  
29 juvenile to remain in the hospital.

30 (3) That the responsible party satisfy the requirements of G.S. 122C-142.2(b)  
31 through (f).

32 (4) Any relief the court finds appropriate.

33 (h) The order shall be reduced to writing, signed, and entered no later than 72 hours  
34 following the completion of the hearing. The clerk of court for juvenile matters shall schedule a  
35 subsequent hearing for review within 30 days of entry of the order.

36 (i) If at any time after the motion is filed, the juvenile is discharged from the hospital and  
37 placed by the director, the court shall dismiss the motion.

38 (j) All parties to the hearing shall bear their own costs."

39 **SECTION 5.(c)** Subsection (a) of this section is effective 30 days after this act  
40 becomes law. Subsection (b) of this section becomes effective on January 1, 2022. The remainder  
41 of this section is effective when it becomes law.  
42

## 43 **PART VI. REQUIRE PUBLIC SCHOOLS TO PROVIDE STUDENTS WITH** 44 **INFORMATION AND RESOURCES ON CHILD ABUSE AND NEGLECT,** 45 **INCLUDING SEXUAL ABUSE**

46 **SECTION 6.(a)** G.S. 115C-12 is amended by adding a new subdivision to read:

47 "(47) Duty Regarding Child Abuse and Neglect. – The State Board of Education, in  
48 consultation with the Superintendent of Public Instruction, shall adopt a rule  
49 requiring information on child abuse and neglect, including age-appropriate  
50 information on sexual abuse, to be provided by public school units to students  
51 in grades six through 12. This rule shall also apply to high schools under the

1 control of The University of North Carolina. Information shall be provided in  
2 the form of (i) a document provided to all students at the beginning of each  
3 school year and (ii) a display posted in visible, high-traffic areas throughout  
4 each public secondary school. The document and display shall include, at a  
5 minimum, the following information:

- 6 a. Likely warning signs indicating that a child may be a victim of abuse  
7 or neglect, including age-appropriate information on sexual abuse.  
8 b. The telephone number used for reporting abuse and neglect to the  
9 department of social services in the county in which the school is  
10 located, in accordance with G.S. 7B-301.  
11 c. A statement that information reported pursuant to sub-subdivision b.  
12 of this subdivision shall be held in the strictest confidence, to the extent  
13 permitted by law, pursuant to G.S. 7B-302(a1).  
14 d. Available resources developed pursuant to G.S. 115C-105.51,  
15 including the anonymous safety tip line application."

16 **SECTION 6.(b)** G.S. 115C-47 is amended by adding a new subdivision to read:

17 "(65) To Provide Information About Child Abuse and Neglect. – Local boards of  
18 education shall implement the rule addressing student awareness of child  
19 abuse and neglect, including sexual abuse, adopted by the State Board of  
20 Education under G.S. 115C-12(47)."

21 **SECTION 6.(c)** G.S. 115C-218.75 is amended by adding a new subsection to read:

22 "(e2) Information About Child Abuse and Neglect. – A charter school shall implement the  
23 rule addressing student awareness of child abuse and neglect, including sexual abuse, adopted by  
24 the State Board of Education under G.S. 115C-12(47)."

25 **SECTION 6.(d)** G.S. 115C-238.66 is amended by adding a new subdivision to read:

26 "(7f) Information about child abuse and neglect. – A regional school shall  
27 implement the rule addressing student awareness of child abuse and neglect,  
28 including sexual abuse, adopted by the State Board of Education under  
29 G.S. 115C-12(47)."

30 **SECTION 6.(e)** Article 4 of Chapter 116 of the General Statutes is amended by  
31 adding a new section to read:

32 "**§ 116-69.2. Information about child abuse and neglect.**

33 The school shall implement the rule addressing student awareness of child abuse and neglect,  
34 including sexual abuse, adopted by the State Board of Education under G.S. 115C-12(47)."

35 **SECTION 6.(f)** G.S. 116-235 is amended by adding a new subsection to read:

36 "(j) Information About Child Abuse and Neglect. – The School shall implement the rule  
37 addressing student awareness of child abuse and neglect, including sexual abuse, adopted by the  
38 State Board of Education under G.S. 115C-12(47)."

39 **SECTION 6.(g)** G.S. 116-239.8(b) is amended by adding a new subdivision to read:

40 "(19) A laboratory school shall implement the rule addressing student awareness of  
41 child abuse and neglect, including sexual abuse, adopted by the State Board  
42 of Education under G.S. 115C-12(47)."

43 **SECTION 6.(h)** Section 6(d)(2) of S.L. 2018-32 is amended by adding a new  
44 sub-subdivision to read:

45 "p. (65) [To Provide Information About Child Abuse and Neglect]."

46 **SECTION 6.(i)** This section is effective when it becomes law and applies beginning  
47 with the 2021-2022 school year.

## 49 PART VII. EFFECTIVE DATE

50 **SECTION 7.** Except as otherwise provided, this act is effective when it becomes  
51 law.