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## **NC Collaborative for Children, Youth and Families**

**DATE: June 12, 2020**

### **[Legislative Calendar for the NC General Assembly](#)**

#### **[Audio for Meetings](#)**

#### **Medicaid Transformation Bill Reworked:**

[S808](#), now called Medicaid Funding Act, was substantially changed this week through a committee substitute that was passed in the Senate Appropriations Committee. Here is the breakdown of the substitute bill:

Related to Medicaid Transformation--

- Changes start date for Standard Plans to **no later than July 1, 2021**;
- Authorizes each PHP, including the regional PHP contract, for the Standard Plan to be paid \$4 million, for each full month after June 30, 2021, that the State is not able to make Medicaid capitated payments;
- \$19.42 million appropriated for infrastructure needs such as NC FAST upgrades, data management tools, program integrity;
- Allows DHHS to make a request for a transfer of funds that will cover qualifying needs such as the State share and will not be more than \$63.12 million;
- Allows for the Tribal Medicaid managed care option;
- Revises the Supplemental Payment Program;
- Establishes the Medicaid Contingency Reserve;
- Establishes the Hospital Assessment Act;
- Amends the Gross Premium Tax to include PHP capitated contracts;
- Establishes the Hospital Uncompensated Care Fund;

Other Provisions:

- **\$50 million from the Coronavirus Relief Fund appropriated to the LME/MCOs** to address the COVID-19 behavioral health and crisis service response.
- Appropriates funds for the Medicaid program that include:
  - \$213 m, \$136 m and \$84 m transferred from different State funds to fund the Medicaid program rebase (essentially adjusting the budget to the current financial picture) and \$30 m of current Medicaid funds will not revert to the General Fund of the State;
- Appropriates \$15 million to select land located in Wake County suitable for the Dorothea Dix campus relocation project.

- Appropriates \$6.15 million for updates and changes to the child welfare case management component of the North Carolina Families Accessing Services through Technology (NC FAST) system, including child welfare program changes in accordance with the federal Family First Prevention Services Act, updates for the Comprehensive Child Welfare Information System (CCWIS), funding for the Independent Verification and Validation (IV&V) contract, and risk assessment tool changes under Rylan's Law, S.L. 2017-41.

**New Law:**

[S476/SL 2020-7](#): School-Based Mental Health (formerly Compt-Based Assess. & Mental Health/Teen Viol.), Requires the State Board of Education to develop a school-based mental health plan for the State. The State Board will also establish minimum requirements for each school district to also develop a school-based mental health plan and a mental health training program and model suicide risk referral protocol. Effective when it became law. Dates to pay attention to:

- 12/31/20: Superintendent of Public Instruction will ensure that a copy of the school-based mental health policy adopted by the State Board is made available to each K-12 school unit by December 31, 2020;
- 7/1/21: Each K-12 school unit will adopt a school-based mental health plan that incorporates the State Board policy, including a mental health training program and suicide risk referral protocol, no later than July 1, 2021;
- 6/2022: School personnel required to complete the training and employed in a K-12 school unit as of the effective date of this act will complete their initial mental health training by the end of the 2021-2022 school year.

The [Superintendent's Working Group on Student Health and Well-Being report](#) of 5/31/18 includes recommendations that the State Board must use for the school-based mental health plan.

**Resources:**

- [StrongSchoolsNC Public Health Toolkit](#): Lays out a comprehensive set of baseline health practices that public schools should follow to minimize risk of exposure to COVID19 for students, staff, and families.
- [Secretary Cohen presentation](#) to House Health Committee, June 10, 2020

**Bills On the Move:**

[S562/H874](#), Second Chance Act, expunges records of minors per Raise the Age, S562 passed Senate and House, Sent to Senate for concurrence on changes made by House/H874 No action

[S708/H1048](#), CPS Intake Screening/PED Recommendations, prohibits county Departments of Social Services from implementing more stringent child protective services than the State requires. S708 Reported favorably by Senate Judiciary and Referred to Senate Health Care/H1048 Passed House, Referred to Senate Rules

[S730](#), The No Patient Left Alone Act: The committee substitute that was passed in Senate Health Care specifies visitation rights in the hospital for minors and adults to designate someone who is allowed to visit the person while they are in the hospital (formerly allowed for unlimited visitation privileges for that designated person). Reported favorably by Senate Health Care, Re-referred to Senate Appropriations

[S808](#), Medicaid Funding Act (formerly Medicaid Transformation Necessities), Reported favorably by Senate Finance, Referred to Senate Rules

[S818](#), Compensation of Certain School Employees: Addresses teacher salaries and bonuses, Reported favorably by Senate Appropriations and Senate Rules

[S836](#), State Operations/Increase Federal Funds Use: This bill authorizes the transfer of \$1.575 billion from the State's Reserve and \$150 million from the Local Government Coronavirus Relief Fund to allow for continuity of operations in certain areas. \$370 m will be used for wages, overtime, personal protective equipment, in-home monitoring and other supplies for State entities such as mental health institutions, prisons, community corrections, juvenile facilities, and veteran's homes. Passed the Senate and House, Ratified, Sent to Governor on 6/12

[H471](#), Exempt Medical Direct Primary Care from DOI Regs (formerly Reduce Admin. Duplication MH/DD/SAS Providers): Changed to exempt primary care practices from DOI license or certification when a medical direct primary care arrangement is in place with the consumer. Passed House and Senate, Sent to House for concurrence with Senate changes

[H612](#), DSS Review of Procedures/Rulemaking: require the Social Services Commission to review publications, policies and procedures that should be rules and report to OAH. Passed the House and Senate, Sent to House for concurrence on Senate changes and referred to House Rules

[H1187](#), Raise the Age Funding, Provides funding for capital improvements at Department of Public Safety facilities that are implementing Raise the Age. Ratified, Presented to Governor 6/9/20

[H1208](#), Funding for Workforce Housing Loan Program: Transfers funds to be used in the Program. Passed House and Senate, Ratified, Presented to Governor on 6/12

**NC Bills introduced in 2020 Long Session:**

[S708/H1048](#), CPS Intake Screening/PED Recommendations, prohibits county Departments of Social Services from implementing more stringent child protective services than the State requires.

[S730](#), The No Patient Left Alone Act: Specifies visitation rights in the hospital for minors and adults to designate someone who has unlimited visitation privileges.

[S765](#), Education Omnibus, includes \$2.9 m from the Coronavirus Relief Fund for Extended School Year Services for exceptional children, referred to Senate Rules

[S808](#), Medicaid Transformation Necessities, referred to Senate Appropriations

[S826/H1135](#), Housing and Utilities Assistance/COVID-19, \$100 million non-recurring for housing and housing utilities assistance, referred to Senate Appropriations/House Finance

[S827/H1134](#), Housing and Foreclosure Prevention Assistance, establishes an Emergency Housing Office within DHHS, Senate Appropriations/House Finance

[S845](#), Successful Transition/Foster Care Youth, \$500,000 to implement the Foster Care Transitional Living Initiative Fund. Referred to Senate Appropriations

[S859](#), Student Internet Connectivity Act, \$176 million to expand the School Connectivity Initiative to 2 provide home mobile Internet access points for students, Referred to Senate Rules

[H1035](#), Education Omnibus, COVID-19, provisions related to class sizes, testing, etc., reported favorably by House Education Committee, re-referred to House Rules

[H1037](#), COVID-19 Health Care Working Group Policy Rec., considerable overlap with provisions in the new law (S704), Reported favorably by House Health Committee, re-referred to House Rules

[H1039](#), COVID-19 Response Act - Economic Support, provisions related to unemployment, Reported favorably by House Commerce Committee, re-referred to House Rules

[H1040](#), Healthcare for Working North Carolinians, provisions to address the gap in insurance coverage for working individuals aged 19-64, Referred to House Rules

[H1046](#), COVID-19 Paid Sick Leave, provisions allowing for paid sick leave related to COVID-19 in organizations of 500+ employees and includes provision addressing retaliation by employer and violations. Referred to House Finance

[H1071](#), State/Federal Funds for School Connectivity, \$4.6 m recurring/\$15 m non-recurring for SFY20-21. Referred to House Appropriations

[H1122](#), Provide Affordable Broadband Access to NC, grants for mobile hotspots, provides authority for health insurance to cover telehealth “including mental and behavioral healthcare”. Referred to House Rules

[H1132](#), Study on K-12 Student Retention, forms a study committee that includes school psychologist and counselor reps. Referred to House Education, K-12

[H1181](#), Certain Appropriations for Education/COVID, allocates \$405 million for internet access, grants, etc. Referred to House Appropriations

[H1182](#), Funds for Educational Entities/COVID, providing “sufficient funds” to address impact of COVID-19 on education. Referred to House Appropriations

[H1187](#), Raise the Age Funding, \$10.44 million transferred from the Statewide Misdemeanant Confinement Fund for renovations and improvements of certain Youth Detention Centers.

[H1188](#), TANF Benefit Increase/COVID-19, \$13.2 million to give supplemental support for TANF beneficiaries. Referred to House Rules

[H1192](#), Student Health Collaborative Pilot, \$5 million to DSS to work with DMH and DPI and allow for grants in five counties. Referred to House Appropriations

[H1196](#), Funds/COVID-19 Tests & PPE for Congregate Lvg, \$12 m to purchase diagnostic tests and personal protective equipment. Referred to House Appropriations

[H1204](#), Funds for Statewide Telepsychiatry Program, Program would be through East Carolina University Center for Telepsychiatry and e-Behavioral Health. Referred to House Appropriations

[H1206/S844](#), Student Mental Health Well-Being/COVID-19, \$480 m to increase the number of school mental health support staff. Referred to House Rules

[H1214](#), Department of Health and Human Svcs Revisions.-AB, gives Secretary authority to adjust the base budget allocations for Single Stream Funding among other things. Referred to House Health

[H1227](#), Ensure Awareness of Assistance Programs/COVID, \$2 million to ensure that children and families are connected to all federally funded public assistance programs for which they are eligible. Referred to House Rules

**NC Bills still in action from 2019 Long Session:**

- [H5](#): Close the Medicaid Insurance Gap (see S3)
- [H76](#): School Safety Omnibus
- [H102](#): Enhance Permanency Innovation Institute (see S245)
- [H121](#): Expunction Related to Raise the Age/No Conviction
- [H234](#): Funds for Child Advocacy Centers
- [H241](#): Education Bond Act of 2019
- [H250](#): Dept. of Health and Human Services Revisions
- [H291](#): Continue Social Services Regional Supervision and Collaboration Work Group (SSWG) and Extend Children's Council
- [H297](#): Psychologist Interjurisdictional Compact
- [H434](#): Suicide Risk Ref./Mental Health/Teen Violence
- [H471](#): Reduce Administrative Duplication MH/DD/SAS Providers
- [H488](#): \$11.3 million in recurring DHHS funds will be designated in the LME/MCO capitation to address the staffing for ICF-IID and group home facilities for individuals with IDD. Referred to House Health
- [H555](#): Medicaid Transformation Implementation, the Senate has withdrawn this bill from the calendar and re-referred it to the Senate Committee on Rules and Operations.
- [H580](#): Increase Foster Care Rates/Funds (see S636)
- [H601](#): Funds for NAMI North Carolina, Inc.
- [H612](#): DSS Review of Procedures/Rulemaking, Passed House and referred to Senate Judiciary
- [H613](#): Essential Services for Homeless Youth
- [H655](#): NC Health Care for Working Families, the bill was re-referred to the House Committee on Health, received a favorable committee substitute, and was re-referred to the House Committee on Rules, Calendar, and Operations.
- [H678/S300](#): Amend Counselor/SA/Social Work Professional Acts, changes some wording to "clinical mental health professional", allows Boards to establish support programs in substance use and mental health, restructures the SA Professional Practice Board. Passed House, Re-referred to Senate Health Care and then Senate Judiciary
- [H702](#): Modify Juvenile Crime Prevention Councils (see S555)
- [H822](#): Comprehensive Behavioral Health Plan, the bill has been sent to the Senate, passed the 1<sup>st</sup> Senate reading, and has been sent to the Senate Committee on Rules and Operations.
- [H825](#): Strengthen Child Fatality Prevention System: passed first reading and referred to the House Committee on Health.
- [H826](#): Standardized Assessment/Foster Care Pilot
- [H956](#): Funds/Youth Villages and Other Purposes

[H966](#): 2019 Appropriations Act, this bill was placed on the calendar for January 14, 2020, withdrawn from the calendar and re-referred to the Senate Committee on Rules and Operations.

[H1038](#): Omnibus COVID-19 Response Funds: passed the first reading and re-referred to the Committee on Rules, Calendar, and Operations of the House.

[S3](#): Close the Medicaid Insurance Gap (see H5)

[S175](#): Funds/Eliminate NC Pre-K Waitlist

[S212](#): NC Fast/Early Child/Transformation/ACH Assess., the conference committees have been appointed.

[S245](#): Enhance Permanency Innovation Institute (see H102)

[S251](#): Modernization of Drug Court Programs

[S361](#): Healthy NC., the Senate failed to concur on the health committee substitution, so the Senate and House have appointed committee conferees for the bill.

[S382](#): School Psychologist Compensation and Recruitment (see H482)

[S427](#): Smart Start Funds (see H124)

[S476](#): School-Based Mental Health, Ratified

[S549](#): Child Welfare/Behavioral Health Pilot/Funds

[S624](#): Guilford County Mental Health Facility /Funds (see H360)

[S636](#): Increase Foster Care Rates/Funds (see H580)

[S740](#): COVID-19 Recovery Act: passed the third Senate reading, passed the 1<sup>st</sup> House reading, and referred to the Committee on Rules, Calendar, and Operations of the House.

[S834](#), Close the Medicaid Coverage Gap/Funds, Expands Medicaid and provides \$100,000 for DHHS to prepare. Referred to Senate Rules