

NC Collaborative for Children, Youth and Families

DATE: October 2, 2021

Deeper Dive into a New Law--Child Safety and Permanency:

[SL2021-132](#), signed into law on September 1, tackles the issues of expediency in addressing a child's safety and permanent placement. It also contains provisions that relate to the adequacy of treatment and residential services for children and youth. On October 1, 2021, NCDHHS was required to submit a report to provide:

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

The report was to be developed in conjunction with LME/MCOs, county departments of social services, Division of Juvenile Justice, NC Healthcare Assn, and other key stakeholders.

Another component of the new law relates to children in the custody of social services who are in emergency departments and require mental health treatment. Timeframes are placed on social services and LME/MCOs to respond, authorize and find placements for children in emergency departments who need mental health treatment. A DHHS Rapid Response Team will coordinate an action plan that includes identifying an appropriate level of care and provider. Finally, a section of the law addresses the payment to hospitals for continued care of a juvenile when there is not medical necessity and while a placement is being identified.

The new law also covers areas such as:

- Authority granted for legislators and legislative committees to request and receive confidential information on a custody case;
- Departments of social services have 30 days after the initial order removing custody to identify and notify adult relatives and other persons with legal custody of a sibling of the juvenile;
- Allows the court to consider placement with a former foster parent or nonrelative kin;
- States that the first observation visit should occur within 30 days of the hearing and will be conducted seven days apart;
- States that a drug screen alone is insufficient to deny the parent court-ordered visitation with the juvenile—social services will be required to take additional steps;
- Adds permanency planning to the review conducted by the courts within 90 days from the date of the initial dispositional hearing;
- Allows any person with whom the child has been placed the opportunity to speak to the court about the child's well-being;
- Adds to foster parent training about their responsibilities in judicial proceedings;

- Adds parameters around safe notification if the director [of social services] determines the child is a victim of human trafficking by someone other than parent, caregiver or guardian;
- Requires development and submission of a plan to the legislature by 9/22 to develop a Child Protective Services hotline;
- Requires public schools to provide students with information and resources on child abuse and neglect, including sexual abuse.

Standard Plan Timeframe for Choosing new PHP Ends:

Standard Plans began on July 1, 2021 and the 90-day clock for changing your PHP without a reason also began. September 30th marked the last day that a Standard Plan member could change PHPs without a reason. Now, Standard Plan member can change their health plan for only certain reasons:

- At the time of the Medicaid recertification
- If the member is required to change health plans
- If the member has a special or “with cause” reason that includes: moving out of the health plan’s service area, have a family member in a different health plan, all related services needed from providers in the Standard Plan are not available and there is a risk to getting the services separately, the member has a complex medical condition that is better served through another health plan, the member’s long-term services and supports provider is not in the health plan, the health plan doesn’t cover a service needed for moral or religious reasons, certain other reasons (see [“Get Answers”](#) for more information)

To make the request for a change in health plans:

- Complete an [online form](#) that can be submitted
- Call 1-833-870-5500 (TTY: 711 or [RelayNC.com](#))
- Mail or fax the [Health Plan Change Request](#) form

Go to [ncmedicaidplans.gov](#) for more information and to access a chat with an Enrollment Broker.

BH/IDD Tailored Plan Provider Trainings an Opportunity for Children, Youth and Families:

	Register for the webinar series .
Oct. 8, 2021	Becoming an AMH+/CMA
Oct. 15, 2021	Health Information Technology (IT) Requirements and Data Sharing
Oct. 22, 2021	Partnering with a Clinically Integrated Network and Other Partners
Oct. 29, 2021	Delivery of Tailored Care Management
Nov. 5, 2021	Transitional Care Management and Community Inclusion Activities

Nov. 19, 2021	Conflict-Free Care Management and Additional Care Coordination Functions for Members Enrolled in the Innovations or TBI Waiver
Dec. 3, 2021	Billing
Dec. 10, 2021	Oversight and Quality Measurement/Improvement

Leandro Follow-Up:

The Commission on Access to a Sound Basic Education adopted a resolution on September 28th, “to urge all state bodies, entities, and agencies to take all necessary actions to implement and fund the State’s Plan, and in accordance with the timelines and resources set forth therein. The children of North Carolina deserve nothing less.” This resolution follows the order by the NC Court judge in charge of the *Leandro* lawsuit to fully fund the [Comprehensive Remedial Plan](#).

Bills on the Move:

[S. 105](#), 2021 Appropriations Act, passed by House and Senate, Senate did not concur with House proposal, conference committee appointed.

Bills:

[H. 29](#), Verification of Immigration Status: SAVE
[H. 32](#), Equity Opportunity Act – MET CROSSOVER
[H. 42](#), 2020 COVID Relief Bill Modifications
[H. 91](#), Reduce Regulation to Help Children with Autism – MET CROSSOVER
[H. 110](#), Landlord Submission of HOPE Application
[H. 149](#), Improving Access to Care through Telehealth – MET CROSSOVER
[H. 173](#), Separate Divisions, Juvenile Justice and Adult Corrections—AB (Agency Bill)
[H. 183](#), Juvenile Court Counselors/Sensitivity Training—AB (Agency Bill) – MET CROSSOVER
[H. 192](#), COVID Response, Supplemental Spending 2020-2021
[H. 205](#), Abuse & Neglect Resources in Public Schools – MET CROSSOVER
[H. 212](#), Social Services Reform
[H. 215](#), Early Childhood Data Analytics/Pilot/Guilford
[H. 232](#), LRC Study – Affordable Housing, MET CROSSOVER
[H. 247](#), Standards of Student Conduct – MET CROSSOVER
[H. 249](#), Children with Disabilities Funding Formula
[H. 261](#), Raise Min. Age/Juvenile Jurisdiction
[H. 262](#), Smart Start Funds
[H. 274](#), 2021 Current Operations Appropriations Act
[H. 277/S. 249](#), The SAVE Act
[H. 298](#), 2021 Current Operations Appropriations Act
[H. 300](#), 2021 Pandemic Recovery Appropriations Act
[H. 305](#), 2021 Omnibus Coronavirus Relief Act
[H. 313](#), 2021 Pandemic Recovery Appropriations Act
[H. 314](#), 2021 Omnibus Coronavirus Relief Act
[H. 325](#), 2021 Omnibus Coronavirus Relief Act
[H. 382](#), Hospital ED Care/Medicaid Behavioral Health Service
[H. 389/S. 350](#), NC Innovations Waiver Act of 2021

[H. 424](#), Juveniles/Eliminate LWOP/Parole Eligibility
[H. 430](#), Advisory Council on PANS & PANDAS
[H. 470](#), Medicaid Expansion
[H. 516](#), Raise Dropout Age to 18
[H. 568/S. 721](#), Youth Mentoring Services Act
[H. 579](#), School Self-Defense Act
[H. 615](#), Juvenile Court Mental Health Assessments – MET CROSSOVER
[H. 621](#), Increase Drop Out Age/Completion Indicator – MET CROSSOVER
[H. 653](#), Mental Health and SUD Parity Report
[H. 657](#), School Safety/Threat Assessment Teams – MET CROSSOVER
[H. 658](#), Deploy Child Welfare & Aging Component/NCFAST
[H. 664](#), County Service Districts/Early Childhood Education – MET CROSSOVER
[H. 665/S. 610](#), Address Direct Support Staffing Crisis/Medicaid
[H. 732](#), Peer Support Specialist Certification Act
[H. 747](#), Merge NC Health Choice & Medicaid
[H. 749](#), Healthy Students – School Psychologists/COVID-19
[H. 809](#), NC Healthy Family Act
[H. 823](#), Child Advocacy Centers/Share Information – MET CROSSOVER
[H. 837](#), Increase Student Access to School Counselors
[H. 882](#), Behavioral Health Services for Students
[H. 908](#), Access to Affordable Health Care Coverage for All
[H. 914](#), Support our Direct Care Workforce
[H. 928](#), Opioid Overdose Prev. Pilot Program/Funds
[H. 934](#), Student Success Program
[H. 946](#), Sound Basic Education for Every Child
[H. 947](#), The GREAT Broadband Expansion Act
[H. 952](#), Mental Health Unit Triage Pilot Program
[H. 953](#), Funds for School Mental Health Support Persons
[S. 37](#), In-Person Learning Choice for Families, ratified, vetoed by Governor on 2/26
[S. 61](#), Dental Services/Medicaid Transformation
[S. 78](#), A Safe Return for In-Person Learning
[S. 86](#), Medicaid Recs/School-Based Health and InCK evaluation/ Child Well-Being Transformation Council Rec
[S. 88](#), NC FAST Child Welfare Case Mgmt./PED Study
[S. 89](#), Regional Supervision/Child Well-Being Transformation Council Rec
[S. 90](#), Social Services Reform/Inter-County Collaboration/Child Well-Being Transformation Council Rec
[S. 93](#), Assisting NC Families in Crisis
[S. 106](#), 2021 Appropriations Act
[S. 107](#), 2021 Appropriations Act
[S. 154](#), Fully Funded School Social Works and Psychologists
[S. 350/H. 389](#), NC Innovations Waiver Act of 2021
[S. 402](#), Close the Medicaid Coverage Gap
[S. 463](#), Deploy Child Welfare & Aging Component/NCFAST
[S. 501](#), Create Department of Adult Corrections
[S. 514](#), Youth Health Protection Act
[S. 515](#), Health Care Heroes Conscience Protection Act

[S. 518](#), Protecting and Supporting NC's Children
[S. 530](#), Medicaid for Twelve Months Postpartum
[S. 593](#), Special Education Due Process Hearings – MET CROSSOVER
[S. 595](#), Taskforce on Adverse Childhood Experiences
[S. 610/ H. 665](#), Address Direct Support Staffing Crisis/Medicaid
[S. 615](#), Direct Care Worker Wage Passthrough/Medicaid
[S. 622](#), 2021 Governor's Budget
[S. 721/H. 568](#), Youth Mentoring Services Act

Bills Signed into Law:

[SL 2021-1](#): COVID Relief Bill Modifications
[SL 2021-3](#): 2021 COVID-19 Response and Relief
[SL 2021-4](#): The Reopen the Schools Act of 2021
[SL 2021-7](#), Summer Learning Choice for NC Families
[SL 2021-8](#): Excellent Public Schools Act of 2021
[SL 2021-18](#): Modify Termination of Parental Rights Appeals
[SL 2021-22](#): Reduce Regulation to Help Children with Autism
[SL 2021-25](#): Additional COVID-19 Response and Relief
[SL 2021-61](#): Medicaid Modernized Hospital Assessments
[SL 2021-62](#): Medicaid Administrative Changes and Technical Corrections
[SL 2021-77](#): DHHS Revisions
[SL 2021-88](#): GSC Technical Corrections 2021
[SL 2021-100](#): Juvenile Code Rev's/CIP Recommendations—AB (Agency Bill)
[SL 2021-118](#): Expand Expunction Eligibility
[SL 2021-123](#): Various Raise the Age Changes/JJAC Recs.
[SL 2021-132](#): Expedite Child Safety and Permanency
[SL 2021-144](#): Foster Parents' Bill of Rights