

**Legislative Update**  
**8/13/2020**  
**Wendy C. Sotolongo, Parent Defender**

- 7/26/2019-HB 469 / SL 2019-172 signed by Governor
  - The bill is found here: <https://www.ncleg.gov/BillLookup/2019/HB469>
    - Effective October 1, 2019, Section 11 creates two new statutes to the Interstate Compact on the Placement of Children (ICPC). The new G.S. 7B-3807 gives the ICPC regulations that are promulgated by the Association of Administrators the effect of law in North Carolina. Those regulations can be found [here](#).
    - Section 12 creates G.S. 7B-3808, which addresses the need to provide all the necessary information to the state ICPC office at DHHS and refers to the ICPC regulations. Under G.S. 7B-3808, DSS is authorized to request from the sending agency or receiving state written notice of information that is required due to the receipt of an incomplete request. Upon receipt of the notice from DHHS, the sending agency has 10 business days to submit the requested information or withdraw its request. The ICPC Office at DHHS may treat the ICPC request as expired if the requested information is not timely received from the sending agency.
    - Note: Sections 11 and 12 enacting G.S. 7B-3807 and 7B-3808 are repealed by section 8.1 of H935 (Edition 4). That bill is still pending before the legislature.
- 8/23/19-SB 230/SL 2019-201 signed by Governor
  - The bill is found here: <https://www.ncleg.gov/BillLookup/2019/SB230>
    - Requires the department of social services to collect information regarding the respondent's military affiliation during an abuse, neglect, or dependency assessment, and if evidence of abuse or neglect is found by the director, requires the director to report it to the appropriate military agency.
- 11/7/19-SB 199/SL 2019-245 signed by Governor
  - The bill is found here: <https://www.ncleg.gov/BillLookup/2019/S199>. Sara DePasquale's blog on the bill is found here: [Blog SL 2019-245](#)
    - "Caretaker" is defined at G.S. 7B-101(3). Effective 12/1/19, that definition is expanded by Part VI, Section 6 of the bill to include "an adult entrusted with the juvenile's care." The amendment removes the limitation that the adult be a relative and now applies to relatives and nonrelatives alike who have responsibility for a juvenile's health and welfare in a residential setting.
    - The bill enacts a new mandatory reporting law, which requires any adult to make a report to law enforcement when a juvenile is a victim of certain crimes.
- 4/28/20-**Short session began**
- 5/4/20-SB 704/SL 2020-3 COVID-19 Recovery Act signed by Governor
  - The bill is found here: <https://www.ncleg.gov/BillLookup/2019/s704>.
    - Section 3B.1(a)(1)—The General Assembly will support pursuing any federally available waiver or program allowance regarding child welfare, including, but not limited to, waivers regarding virtual visitation for children in foster care, temporary suspension of relicensing requirements for foster parents, and the continuation of payments for youth in foster care ages 18-21 years, regardless of education or employment requirements.

- Section 3E.2(c)—NCDHHS shall temporarily waive any requirement to complete a fingerprint-based criminal history check pertaining to adoptions, foster care, or child care institutions. However, all available name-based criminal background checks for prospective foster parents, adoptive parents, legal guardians, and adults working in child care institutions shall be completed, and, in situations where only name-based checks were completed, fingerprint-based criminal history checks shall be completed within 60 days of Executive Order No. 116 being rescinded..
- Section 3E.4(a)--NCDHHS is authorized to temporarily waive the 72-hour requirement of preservice training before child welfare services staff assumes direct client contact responsibilities. The Division is authorized to identify and use web-based training as an acceptable equivalent in meeting preservice training requirements.
- 5/4/2020-HB 1043/SL 2020-4 signed by Governor
  - The bill is found here: <https://www.ncleg.gov/BillLookup/2019/H1043>
    - Section 3.3 Allocation of Funds
      - \$290,000 to the Department of Health and Human Services, Division of Social Services, to provide funds for the LINKS program, a foster care support program for youth ages 13-21 years. These funds shall be used to support youth in the LINKS program who are not receiving foster care assistance payments and need assistance with housing or transitional costs due to COVID-19 and are allocated as follows:
        - \$250,000 for LINKS Transitional Living Services.
        - \$40,000 for LINKS Transitional Housing
        - \$2,250,000 to the Department of Health and Human Services, Division of Social Services, to assist in serving children in foster care during the COVID-19 emergency. These funds shall be used for monthly supplemental payments in the amount of one hundred dollars (\$100.00) for each child receiving foster care assistance payments for the months of April 2020, through June 2020.
- Expedite Permanency/DHHS Report SNAP/TANF (H 918) vetoed 7/1/20 by Governor
  - The bill is found here: <https://www.ncleg.gov/BillLookUp/2019/h918>
    - “House Bill 918 discourages pregnant women with substance use disorders from seeking treatment and prenatal care, risking their health and the health of newborns. And while it penalizes pregnant women with substance use disorders, it does nothing to expand access to treatment. This would disproportionately impact women of color and low-income women, who are already less likely to have access to the substance use treatment and quality healthcare they need.”
- 7/1/2020 HB 593/SL 2020-83 signed by Governor
  - The bill is found here: <https://www.ncleg.gov/BillLookUp/2019/HB593>
    - Section 10.1 increases court appointed attorney fees in criminal cases and increases court costs to support Indigent Defense Services. Effective December 1, 2020.
    - Section 10.1(d). The Office of Indigent Defense Services shall report to the chairs of the Joint Legislative Oversight Committee on Justice and Public Safety by March 1, 2021, regarding the implementation of rate increases to the Private Assigned Counsel Fund and modifications to appointed counsel fee application forms.