

# Role of the Social Services Commission



**November 14, 2021**

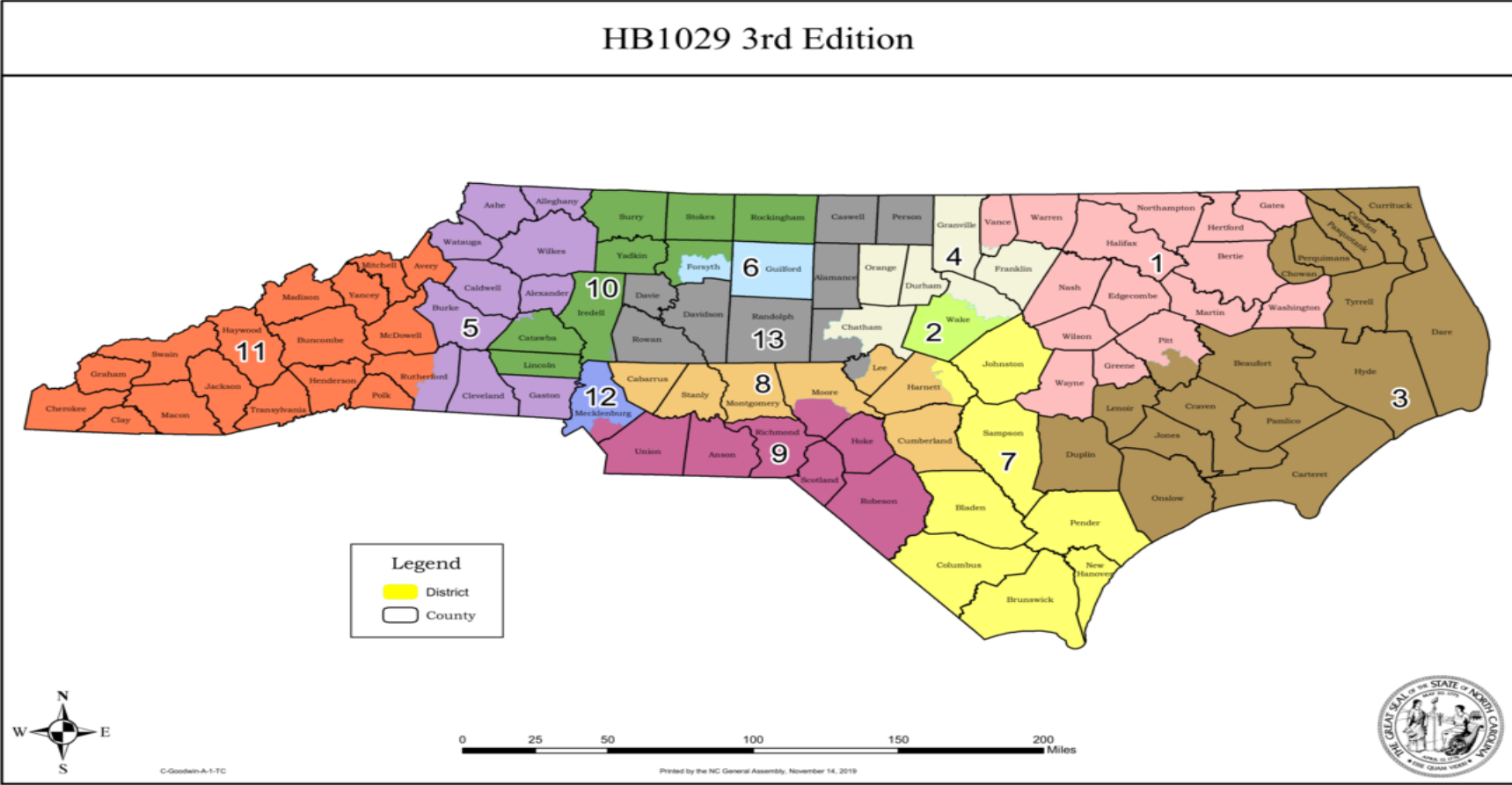
**Drew Pledger, Chairman  
Social Services Commission**

## **Membership of the Social Services Commission**

- One member from each of the 13 Congressional Districts
- Appointed by the Governor to serve a four-year term
- Meets quarterly with special meetings as needed
- Chairman is appointed by the Governor
- Vice-Chairman is elected by the members of the Commission

# North Carolina's Congressional Districts

HB1029 3rd Edition



## **Social Services Commission**

**The Social Services Commission (SSC) has the authority to adopt rules and regulate governing social services programs (other than the state Medicaid program) that are administered under Chapter 108A of the North Carolina General Statutes. SCC rules must be adopted in accordance with the state's Administrative Procedure Act (G.S. 150B, Article 2A) and may not be inconsistent with applicable federal or state law.**

## **The Social Services Commission has authority to**

- . adopt regulations that establish policy for social services programs as required and authorized by law**
- . adopt rules governing the payment of state funds to private child-placing agencies and residential child care facilities for care of children who are in the custody or placement responsibility of county departments of social services**
- . adopt standards for the inspection and licensing of maternity homes and child-care institutions**
- . adopt standards for the inspection and operation of jails and local confinement facilities**
- . adopt standards for the regulation and licensing of charitable organizations, professional fund-raising counsel, and professional solicitors**

## **The Social Services Commission has authority to**

- investigate social problems in the state and conduct hearings and subpoena witnesses and documents in connection with such investigations
- adopt rules establishing rates and fees for the state's child support enforcement program
- appoint members to county boards of social services
  - In some counties the board of county commissioners has abolished the county board of social services and assumed its powers and duties.

## **Rulemaking Process**

- The agency sends rules to NC DHHS for approval.
- The agency requests Social Services Commission approval to proceed with rulemaking.
- Rules are filed with the Office of Administrative Hearings (OAH) to be published in the NC Register.
- A 60-day comment period and public hearing is required to allow parties to express concerns they may have with the rules.
- If comments are received, the agency must address those concerns and try to resolve any conflicts.

## **Rulemaking Process**

- After the public comment period and public hearing, the rules go before the Social Services Commission for approval to be adopted.
- Rules are filed with the Office of Administrative Hearings and schedule to go before the Rules Review Commission (RRC).
- RRC's scope of review is to make sure the rule is necessary, the agency has the authority to adopt the rule, and reviews for ambiguous language.
- If RRC does not approve the rule, the agency may address the rule and appear before the RRC the following month.



## **Rulemaking Process**

- **If RRC receives 10 or more letters requesting Legislative Review, the rule is not approved and must be approved by a Legislative Review Committee.**
- **If no letters are received and RRC approves the rule, it goes into effect the first day of the following month.**

## Appointments to County Boards of Social Services

### Social Services Commission

- Appoint two members to a five-member county board of social services
- Appoint one member to a three-member county board of social services

### County Boards of Social Services

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### County Board of Social Services

- The fifth member is selected by a majority of the other four members of the five-member county board of social services
- The third member is chosen by the other two members of the county board of social services

## **Appointment Process**

- **When a term is expiring or being vacated a public notice is posted on the DHHS website and the county website for a period of 30 days.**
- **Some counties also use public advertisements to solicit applications for appointment from citizens.**
- **Applicants shall complete a Nomination Form and submit to State DSS.**
- **State DSS sends all the completed applications to the respective SSC commissioner for vetting.**
- **If nominations are not received within the public notice period a second public notice is posted.**

## **Appointment Process**

- **How the SSC makes appointments to county boards of social services:**
  - **The SSC commissioner shall report on nominations received and reviewed and make its appointment recommendations, if any.**
  - **The SCC chair shall open the floor for a vote. If the nominee receives a majority, then he or she shall be appointed for a four-year term. If the nominee does not receive a majority the expiring term or vacancy shall be posted again.**

## **Term Limits for County Boards of Social Services**

- Members may not serve more than two consecutive terms, with two exceptions.
  - First, this limitation does not apply to those who were county commissioners at any time during the first two consecutive terms and are serving in that capacity at the time of reappointment.
  - Second, when a person is appointed during a term to fill a vacancy, service on the board for the remainder of the former member's term does not count as a term for purposes of determining whether the new member has served two consecutive terms.

## **Role of County Boards of Social Services**

- Hires the county social services director
- Determines the director's salary (subject to approval of the board of county commissioners)
- Advises and consults with the director
- Evaluates the director's job performance
- Dismisses the director if his or her job performance is unsatisfactory or if his or her personal conduct is unacceptable
- Appoints the third or fifth member of the social service board
- Assists the director in planning the department's proposed budget



**Questions?**