

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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SENATE DRS65021-RCz-9 (1/14)

Short Title: Coordination of Children's Services/Study. (Public)

Sponsors: Senators Nesbitt, Swindell, Allran, Dannelly, Lucas, and Purcell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO IMPROVE THE COORDINATION OF SERVICES TO CHILDREN,
YOUTH, AND FAMILIES BY CREATING CHILDREN'S SERVICES WORK
GROUPS, BY ESTABLISHING AN INDEPENDENT STUDY COMMISSION TO
MAKE RECOMMENDATIONS ON HOW TO ELIMINATE BARRIERS TO
COLLABORATION BETWEEN AND AMONG CHILD-SERVING AGENCIES,
AND TO MAKE AN APPROPRIATION AS RECOMMENDED BY THE JOINT
LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH,
DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES.

The General Assembly of North Carolina enacts:

SECTION 1. The General Statutes are amended by adding a new Chapter to
read:

"Chapter 143C.

"Coordination of Children's Services.

"§ 143C-1. Intent; purpose.

It is the intent of the General Assembly to (i) improve the safety and well-being of North Carolina's children, youth, and families; (ii) support collaboration between State, regional and local agencies that deliver services to children, youth, and families; (iii) make more effective use of existing federal, State, and local resources and programs for children, youth, and families; and (iv) streamline service delivery, fill service gaps, and eliminate duplication of services for children, youth, and families.

The Department of Health and Human Services, the Department of Juvenile Justice and Delinquency Prevention, the Department of Public Instruction, the Administrative Office of the Courts, and other affected State agencies share responsibility and accountability to assure effective collaboration among State and local agencies to improve outcomes for children and their families leading to full participation in their communities and schools."

1 **SECTION 2.(a)** The General Assembly recognizes that services to children,
2 youth, and families are most effective when they are child- and family-centered,
3 strengths-based, community-based, use multidisciplinary approaches, use
4 evidence-based practices when appropriate, and recognize and respect cultural
5 differences. These practices can be successfully implemented only where there is
6 significant and ongoing collaboration and coordination between multiple public
7 agencies. The General Assembly also recognizes that while agencies are making
8 significant progress towards implementing these practices, there is also a need to focus
9 State-level policy in order to provide support, remove barriers, and more fully
10 implement these goals.

11 **SECTION 2.(b)** There is established a children's services work group. It
12 shall be located in the Department of Administration for budgetary and staffing
13 purposes only. The Secretary of the Department of Health and Human Services, the
14 Secretary of the Department of Juvenile Justice and Delinquency Prevention, the Chair
15 of the State Board of Education, the Superintendent of Public Instruction, and the Chief
16 Justice of the North Carolina Supreme Court shall each designate at least one
17 representative to serve on the work group from among the programs, divisions, or
18 departments under that administrator's control that provide services to children and
19 youths. Each administrator named in the preceding sentence shall also appoint to serve
20 on the work group at least one parent of a child or youth who has or is at risk for
21 behavioral, social, health, or safety problems or academic failure, at least one member
22 of a local collaborative body, and at least one private sector service provider. The Chair
23 of the State Board of Education and the Superintendent of Public Instruction may make
24 joint appointments.

25 **SECTION 2.(c)** The work group shall meet at least monthly. The first
26 meeting of the work group shall occur not less than 30 days after the effective date of
27 this section. The Department of Health and Human Services, the Department of Juvenile
28 Justice and Delinquency Prevention, the Department of Public Instruction, and the
29 Administrative Office of the Courts shall, in this order and on a rotating basis, host the
30 monthly meetings of the work group. The Department of Administration shall provide
31 staff and clerical support to the work group.

32 **SECTION 2.(d)** The work group shall:

- 33 (1) Identify common outcome measures for child-serving agencies that
34 can be used for monitoring the safety, health, and well-being of North
35 Carolina's children, youth, and families, including preventative
36 measures.
- 37 (2) Identify strategies for funding flexibility between State and local
38 agencies, including shared funding streams and the removal of
39 financial and bureaucratic barriers.
- 40 (3) Develop a common service terminology to be used across
41 child-serving agencies that is appropriate and assists collaboration and
42 coordination.

- 1 (4) Make recommendations regarding the creation of a shared database to
2 track population and program outcomes information while protecting
3 individual confidentiality.
- 4 (5) Develop mechanisms that would allow agencies to share information
5 about individual children receiving multiple services. Any
6 recommendations must take into account confidentiality requirements
7 and be voluntary on the part of the party receiving services and
8 time-limited. The mechanisms may address intake, assessment, and
9 release procedures.
- 10 (6) Examine State and local training needs for implementing increased
11 coordination and collaboration.
- 12 (7) Study other issues the work group determines would improve
13 coordination and collaboration between child-serving agencies.

14 **SECTION 2.(e)** A majority of the work group shall constitute a quorum for
15 the transaction of business.

16 **SECTION 2.(f)** Any member of the Council who is not an officer or
17 employee of the State shall receive per diem and necessary travel and subsistence in
18 accordance with the provisions of G.S. 138-5.

19 **SECTION 2.(g)** Upon the approval of the Secretary of the Department of
20 Health and Human Services, the Secretary of the Department of Juvenile Justice and
21 Delinquency Prevention, the Chair of the State Board of Education, the Superintendent
22 of Public Instruction, and the Chief Justice of the North Carolina Supreme Court, the
23 work group shall submit its findings and recommendations to the Coordination of
24 Children's Services Study Commission created under Section 4 of this act. The work
25 group shall submit an interim report no later than December 15, 2005, and a final report
26 no later than April 15, 2006. The reports shall specify those recommendations that may
27 be implemented without statutory changes and those that would require statutory
28 authorization.

29 If the General Assembly has not adjourned by those dates, or if the
30 membership of the Study Commission has not been appointed, the work group shall
31 submit its reports to the Joint Legislative Education Oversight Committee, the Joint
32 Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee, the
33 Joint Legislative Health Care Oversight Committee, and the Joint Legislative Oversight
34 Committee on Mental Health, Developmental Disabilities, and Substance Abuse
35 Services.

36 The work group shall expire upon the filing of the final report.

37 **SECTION 3.** The Directors of the Bill Drafting, Research, and Fiscal
38 Research Divisions of the General Assembly shall establish a children's services work
39 group comprised of the legislative staff assigned to subject areas or agencies involving
40 the child-serving programs administered by the Department of Health and Human
41 Services, the Department of Juvenile Justice and Delinquency Prevention, the
42 Administrative Office of the Courts, and the Department of Public Instruction.

43 The work group shall: (i) monitor the proceedings of the children's services
44 work group created under Section 2 of this act; (ii) provide information to legislators

1 and legislative bodies regarding the recommendations of the work group and methods
2 by which the General Assembly may implement those recommendations; and (iii)
3 provide a mechanism to improve coordination, collaboration, and education regarding
4 children's services across State and local agencies among legislative staff.

5 This section shall expire upon the convening of the 2009 General Assembly.
6 However, this shall in no way limit the Division Directors' authority to direct legislative
7 staff to continue to implement the purposes of this section.

8 **SECTION 4.(a)** There is created the Coordination of Children's Services
9 Study Commission ("Commission"). The Commission shall consist of 18 members
10 appointed as follows:

11 (1) Nine members appointed by the Speaker of the House of
12 Representatives as follows:

- 13 a. Five members of the House of Representatives, of whom at
14 least one shall also serve on the House of Representatives
15 Health and Human Services Appropriations Subcommittee, at
16 least one shall also serve on the House of Representatives
17 Education Committee, at least one shall also serve on the House
18 of Representatives Health Committee, and at least one shall also
19 serve on a House of Representatives Judiciary Committee; and
20 b. Four members of the public including a district court judge, a
21 member of a local collaborative body, a private sector service
22 provider, and a parent of a child who has or is at risk for
23 behavioral, social, health, or safety problems or academic
24 failure.

25 (2) Nine members appointed by the President Pro Tempore of the Senate
26 as follows:

- 27 a. Five members of the Senate of whom at least one shall also
28 serve on the Senate Health and Human Services Appropriations
29 Subcommittee, at least one shall also serve on the Senate
30 Education Committee, at least one shall also serve on the Senate
31 Health Committee, and at least one shall also serve on a Senate
32 Judiciary Committee; and
33 b. Four members of the public including a parent of a child who
34 has or is at risk for behavioral, social, health, or safety problems
35 or academic failure, a child who has or is at risk for behavioral,
36 social, health, or safety problems or academic failure, a member
37 of a local board of education, and a member of a board of
38 county commissioners.

39 The Speaker of the House of Representatives shall appoint a cochair and the
40 President Pro Tempore of the Senate shall appoint a cochair for the Commission. The
41 Commission may meet at anytime upon the joint call of the cochairs. Vacancies on the
42 Commission shall be filled by the same appointing authority as made the initial
43 appointment.

1 **SECTION 4.(b)** The purpose of the Commission is to study and recommend
2 changes to improve collaboration and coordination between agencies that provide
3 services to children, youth, and families with multiple service needs. The Commission's
4 recommendations shall include mechanisms for establishing clear State leadership,
5 consistent policy direction, and increased accountability at the State and local level. As
6 part of its work, the Commission shall:

7 (1) Identify existing State, regional, and local collaborative bodies
8 (including their charges, scopes of authority, and accountability
9 requirements) that have been created by legislation, administrative
10 rule, or agency policy and that are charged with serving, protecting, or
11 improving the well-being of North Carolina's children, youth, and
12 families. Once it has identified the collaborative bodies, the
13 Commission shall consider how they could be consolidated,
14 reorganized, or eliminated in order to improve their effectiveness and
15 accountability, increase the likelihood that key players will actively
16 participate, and reduce unnecessary duplication of effort. The
17 Commission shall also consider the creation of a mechanism for
18 coordination and communication between the State and local
19 collaborative bodies, incentives for collaboration, clarification of roles
20 among agencies, and ways to monitor the extent to which groups are
21 collaborating.

22 (2) Study the practices of agencies currently implementing a system of
23 care platform of practices and make recommendations regarding
24 whether to adopt those practices statewide and across child-serving
25 agencies as the preferred mechanism for providing services to
26 children, youth, and families. In examining this issue, the Commission
27 shall identify those State and local agencies that are currently
28 implementing practices that are consistent with a system of care, those
29 states that have implemented system of care as a statewide policy
30 initiative, and the extent to which system of care is cost-effective.

31 (3) The Commission shall also examine the following principles that are
32 associated with a system of care and determine whether to recommend
33 the adoption of a State policy that reflects these principles:

- 34 a. Services for children should promote success, safety, and
35 permanence.
36 b. Services should be child- and family-centered giving priority to
37 keeping children with their families, in their home, school, and
38 community.
39 c. Services should actively promote early identification and
40 intervention.
41 d. Services should be designed to protect the rights of children.
42 e. Services shall be integrated and comprehensive, addressing the
43 child's physical, educational, social, and emotional needs
44 through a single child and family team.

- 1 f. Services shall be outcomes-accountable and tied to a unified
2 child and family plan.
- 3 g. Agency resources and services shall be shared and coordinated.
- 4 h. Services shall be provided as close to home as appropriate in
5 the least restrictive setting consistent with what is known to be
6 effective.
- 7 i. Services shall be culturally competent.
- 8 j. Services shall address the unique strengths, needs, and potential
9 of each child and family, and shall be sufficiently flexible to
10 meet highly individualized child and family needs.
- 11 k. Management of the child-serving system is a responsibility
12 shared among all public and private child-serving agencies that
13 should be held collectively accountable for outcomes.
- 14 (4) In reviewing principles relating to system of care, the Commission
15 shall determine whether they articulate goals that are measurable and if
16 not, determine whether they could be modified to reflect measurable
17 goals.
- 18 (5) Receive and study the recommendations contained in the reports
19 submitted by the work group created in Section 2 of this act and
20 determine whether to recommend any of the statutory proposals.
- 21 (6) Study any other issues the Commission determines would improve
22 coordination and collaboration between child-serving agencies.

23 **SECTION 4.(c)** Upon approval of the Legislative Services Commission, the
24 Legislative Services Officer shall assign professional and clerical staff to assist in the
25 work of the Commission. Clerical staff shall be furnished to the Commission through
26 the offices of the House of Representatives and Senate Supervisors of Clerks. The
27 Commission may meet in the Legislative Building or the Legislative Office Building
28 upon the approval of the Legislative Services Commission. The members of the
29 Commission, while in the discharge of official duties, may exercise all the powers
30 provided under the provisions of G.S. 120-19 through G.S. 120-19.4, including the
31 power to request all officers, agents, agencies, and departments of the State to provide
32 any information, data, or documents within their possession, ascertainable from their
33 records, or otherwise available to them, and the power to subpoena witnesses. Members
34 of the Commission shall receive per diem, subsistence, and travel allowances at the rate
35 established in G.S. 120-3.1, 138-5, or 138-6 as appropriate.

36 **SECTION 4.(d)** The Commission shall submit an interim report to the 2006
37 Regular Session of the 2005 General Assembly that contains its recommendations and
38 legislative proposals. It shall submit a final report to the 2007 Regular Session of the
39 2007 General Assembly. Upon the earlier of the filing of its final report or the
40 convening of the 2007 General Assembly, the Commission shall terminate.

41 **SECTION 5.** There is appropriated from the General Fund to the
42 Department of Administration the sum of one hundred ten thousand dollars (\$110,000)
43 for the 2005-2006 fiscal year to carry out the provisions of this act.

1 **SECTION 6.** Section 5 of this act becomes effective July 1, 2005. The
2 remainder of the act is effective when it becomes law.