

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025**

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HOUSE BILL 165

Short Title: Child and Family Welfare Ombudsman Office. (Public)

Sponsors: Representatives Torbett and Loftis (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Appropriations, if favorable, Rules, Calendar, and Operations of the House

February 24, 2025

A BILL TO BE ENTITLED
AN ACT TO ESTABLISH THE CHILD AND FAMILY WELFARE OMBUDSMAN OFFICE
WITHIN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.

The General Assembly of North Carolina enacts:

SECTION 1. Article 3 of Chapter 143B of the General Statutes is amended by adding a new Part to read:

"Part 6A. Child and Family Welfare Ombudsman Office.

§ 143B-156.1. Child and Family Welfare Ombudsman Office.

(a) Establishment. – There is hereby established the Child and Family Welfare Ombudsman Office within the Department of Health and Human Services. The Office shall report directly to the Secretary of Health and Human Services. The Office shall focus on youth, birth families, and resource parents that are directly involved in the North Carolina child welfare system, including (i) assisting foster parents with issues, (ii) resolving conflicts related to the licensing of family and therapeutic foster homes, (iii) placing children in foster care and assisting in adoption procedures, and (iv) providing support and information to assist the foster care process, and (v) other related matters. The Office shall advocate on behalf of these populations in this State and support their rights to ensure their voices are heard and concerns are addressed. The Secretary shall select a person who is qualified with unique or lived experience, with a familiarity with State and federal laws and rules regarding foster care to serve as the Ombuds. Any additional staff shall also have work or lived experience in the foster care space. The Office shall coordinate with all State and federal agencies, including the Department of Health and Human Services, the Social Services Commission, and local county departments of social services, to effectuate the purpose of the Office as described in this Part.

(b) Powers and Duties. – The Office shall also have the following powers and duties:

- (1) Gather information through interviews and directly access case information within court and State databases.
- (2) Disseminate and advertise information to resource parents on the rights of resource parents in this State and seek to educate resource parents about State and federal laws and rules applicable to their situation.
- (3) Investigate and attempt to resolve hindrances and issues for families or individuals seeking approval for licensure as a family foster home or therapeutic foster home and current resource parents navigating compliance with existing State and federal laws and rules.
- (4) Assist resource parents with waiver applications for licensure, if applicable.



- 1 (5) Offer classes or instructional videos to resource parents to assist in the
2 licensure process.
- 3 (6) Identify resources for resource parents seeking licensure approval,
4 modification of foster homes, or other support resources.
- 5 (7) Gather and review all relevant information when receiving a complaint or
6 inquiry.
- 7 (8) Formulate a process for mediation between parties.
- 8 (9) Work with all local county departments of social services to provide outreach
9 information to youth, families, and resource parents.

10 (c) Neutrality. – In exercising duties under this Part, the Office shall operate in a neutral
11 manner and complete comprehensive, unbiased views of matters using all relevant information
12 to make recommendations for action, if necessary. The Office shall prioritize and determine the
13 Office's scope of work and focus internally, without the interference of any other agency. The
14 Office shall develop and maintain a credible review process for all casework undertaken.

15 (d) Confidentiality. – All communication between the Office and prospective resource
16 parents or individuals seeking assistance from the Office shall be confidential and shall not be
17 considered public records under Chapter 132 of the General Statutes.

18 (e) Whistleblower Protection. – It is the policy of this State that persons in the foster care
19 system have the right to report violations of law or ethical concerns to the Office for the protection
20 of the public. Therefore, no person, firm, corporation, or unincorporated association, or a
21 stakeholder, may subject a person to adverse action, termination, demotion, compensation
22 reduction, or hostile work environment for reporting a violation of law or ethical concerns to the
23 Office. The Office shall conduct a review of every report and determine the correct action to take
24 to protect the whistleblower depending on the circumstances of each report, including referring
25 the report to the proper law enforcement agency or the Office of the Attorney General for review.

26 (f) Reporting. – By October 1 of each year, the Office shall compile data and submit it
27 to the Office of the Governor and the Department of Health and Human Services detailing the
28 number of inquiries and complaints handled by the Office and trends in recurring issues for
29 resource parents and local county departments of social services, including quantitative and
30 qualitative data. The Office shall make all reports available on their public website. Any
31 information contained in the report shall not be able to be used to identify any individual or
32 resource parent. The Office shall use the data to submit a report to the Joint Legislative Oversight
33 Committee on Health and Human Services no later than November 1 of each year."

34 **SECTION 2.** There is appropriated the recurring sum of one hundred thirty-seven
35 thousand dollars (\$137,000) for the 2025-2026 fiscal year and one hundred forty-five thousand
36 dollars (\$145,000) for the 2026-2027 fiscal year to the Department of Health and Human Services
37 to establish the Child and Family Welfare Ombudsman Office and hire one full-time equivalent
38 employee.

39 **SECTION 3.** The Department of Health and Human Services shall have the Office
40 operational by January 1, 2026, and shall engage in appropriate rulemaking to implement the
41 provisions of this act.

42 **SECTION 4.** Section 1 and Section 2 of this act become effective July 1, 2025. The
43 remainder of this act is effective when it becomes law.