

Article 72.

Commission On Children With Special Health Care Needs.

**§ 143-682. Commission established.**

(a) **(Effective until contingency met – see note)** There is established the Commission on Children With Special Health Care Needs. The Department of Health and Human Services shall provide staff services and space for Commission meetings. The purpose of the Commission is to monitor and evaluate the availability and provision of health services to special needs children in this State, and to monitor and evaluate services provided to special needs children under the Health Insurance Program for Children established under Part 8 of Article 2 of Chapter 108A of the General Statutes.

(a) **(Effective once contingency met – see note)** There is established the Commission on Children With Special Health Care Needs. The Department of Health and Human Services shall provide staff services and space for Commission meetings. The purpose of the Commission is to monitor and evaluate the availability and provision of health services to special needs children in this State.

(b) The Commission shall consist of nine members appointed by the Governor, as follows:

- (1) Two parents, not of the same family, each of whom has a special needs child. In appointing parents, the Governor shall consider appointing one parent of a child with chronic illness and one parent of a child with a developmental disability or behavioral disorder.
- (2) A licensed psychiatrist recommended by the North Carolina Psychiatric Association.
- (3) A licensed psychologist recommended by the North Carolina Psychological Association.
- (4) A licensed pediatrician whose practice includes services for special needs children, recommended by the Pediatric Society of North Carolina.
- (5) A representative of one of the children's hospitals in the State, recommended by the Pediatric Society of North Carolina.
- (6) A local public health director recommended by the Association of Local Health Directors.
- (7) An educator providing education services to special needs children, recommended by the North Carolina Council of Administrators of Special Education.
- (8) A licensed dentist who provides services to children with special needs, recommended by the North Carolina Dental Society.

(c) The Governor shall appoint from among Commission members the person who shall serve as chair of the Commission. Of the initial appointments, two shall serve one-year terms, three shall serve two-year terms, and three shall serve three-year terms. Thereafter, terms shall be for two years. Vacancies occurring before expiration of a term shall be filled from the same appointment category in accordance with subsection (b) of this section. (1998-1, s. 3(a); 1998-212, s. 12.12(c); 2010-12, s. 1; 2022-74, s. 9D.15(x).)

**§ 143-683. Powers and duties of the Commission.**

The Commission shall have the following powers and duties:

- (1) Study the needs of children with special health care needs in this State for health care services not presently provided or regularly available through State or

- federal programs or through private or employer-sponsored health insurance plans;
- (2) Develop guidelines for case management services, quality assurance measures, and periodic evaluations to determine efficacy of health services provided to special needs children;
  - (3) Develop and coordinate an outreach program of case managers to assist children with special health care needs and their families in accessing available State and federal resources for all health care services;
  - (4) Review rules adopted by the Commission for Public Health pertaining to the provision of services for special needs children and make recommendations for modifications or additions to the rules necessary to improve services to these children or to make service delivery more efficient and effective;
  - (5) Review policies and practices of the Department of Health and Human Services and recommend to the Secretary of Health and Human Services changes that would improve implementation of health programs for children with special health care needs;
  - (6) Report to each session of the General Assembly not later than the first day of its convening. The report shall include a summary of the Commission's work and any recommendations the Commission may have on ways to improve the efficiency and effectiveness of health services delivery to children with special health care needs in this State, The Commission shall provide a copy of its report to the General Assembly's Commission on Children With Special Needs;
  - (7) Study the feasibility of establishing a privately funded risk pool to provide insurance coverage and services for children with special health care needs;
  - (8) Make recommendations to the Department and to the Commission for Public Health regarding quality assurance measures and mechanisms to enhance the health outcomes of children with special health care needs;
  - (9) Establish subcommittees as necessary to provide assistance and advice to the Commission in conducting its studies and other activities. The Commission may appoint non-Commission members to the subcommittees;
  - (10) Seek grants and other funds from private and federal sources to carry out the purposes of this Article; and
  - (11) Conduct other activities the Commission deems appropriate and necessary to carry out the purposes of this Article. (1998-1, s. 3(a); 2007-182, s. 2.)

**§ 143-684. Compensation and expenses of Commission members; travel reimbursements.**

Members of the Commission shall serve without compensation but may receive travel and subsistence as follows:

- (1) Commission members who are officials or employees of a State agency or unit of local government, in accordance with G.S. 138-6.
- (2) All other Commission members at the rate established in G.S. 138-5. (1998-1, s. 3(a).)

**§§ 143-685 through 143-689. Reserved for future codification purposes.**