

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

SESSION LAW 2025-40
SENATE BILL 77

AN ACT TO ALLOW PARENT CHOICE IN NURSING SERVICE PROVIDERS REQUIRED
BY AN INDIVIDUALIZED EDUCATION PROGRAM.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-111.2 reads as rewritten:

"§ 115C-111.2. Contracts with private service providers.

(a) Local educational agencies furnishing special education and related services to children with disabilities may contract with private special education facilities or service providers to furnish ~~any of these services that the public providers are unable to furnish services.~~

(b) As used in this subsection, "nursing services" are services that may only be provided by nurses licensed in accordance with Article 9A of Chapter 90 of the General Statutes. When providing nursing services pursuant to a child's IEP, local educational agencies shall assign the parent's choice of nurse to provide the nursing services required by the child's IEP if all of the following apply:

- (1) The child received nursing services from the nurse (i) prior to the nursing services being required by the child's IEP or (ii) prior to the child enrolling in his or her current school.
- (2) The parent's choice of nurse is employed by a nursing agency and willing to provide the nursing services required by the child's IEP.
- (3) The nursing agency employing the parent's choice of nurse is willing to enter into a contract with the local educational agency that otherwise meets the standard contract terms required for any other nursing agency contracted by the local educational agency, including licensing and liability requirements.
- (4) The contracted rate is equal to or less than the contracted rate of other nurses contracted by the local educational agency.

(c) This section shall not be construed to limit the local educational agency's responsibility to provide a free appropriate public education."



SECTION 2. This act is effective when it becomes law and applies beginning with the 2025-2026 school year.

In the General Assembly read three times and ratified this the 24th day of June, 2025.

s/ Rachel Hunt
President of the Senate

s/ Destin Hall
Speaker of the House of Representatives

s/ Josh Stein
Governor

Approved 10:16 a.m. this 1st day of July, 2025