

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

SESSION LAW 2016-123  
HOUSE BILL 805

AN ACT TO PROVIDE FOR MEASURABILITY ASSESSMENTS OF STATE PROGRAMS; TO PROVIDE FOR CERTAIN COUNTY SERVICES ON THE TRUST LANDS OF THE EASTERN BAND OF THE CHEROKEE INDIANS; AND TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2016.

The General Assembly of North Carolina enacts:

**PART I. MEASURABILITY ASSESSMENT**

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

**"Chapter 143E.**

**"The North Carolina Measurability Assessment Act of 2016.**

**"§ 143E-1. Title.**

This Chapter shall be known and may be cited as the "North Carolina Measurability Assessment Act of 2016."

**"§ 143E-2. Request for measurability assessment.**

The General Assembly may require a measurability assessment of any proposed or existing State program to determine whether the program is or will be capable of reporting performance and return on investment.

**"§ 143E-3. Definition of measurability assessment.**

(a) A measurability assessment is an independent evaluation conducted on a new or existing State program.

(b) A measurability assessment must include or determine all of the following:

- (1) Whether and to what degree the program is unique and does not duplicate or negate results of another public or private program or enterprise.
- (2) The local, regional, or statewide problems or needs that the program is intended to address.
- (3) Whether there is a program design portrayed by a logic model as defined by the Logic Model Development Guide by the W.K. Kellogg Foundation, including an evaluation of that logic model.
- (4) Whether there is evidence that the program produces results attributable to the program to remedy the problem or need. The information required by this subdivision shall include the following, as applicable:
  - a. For a proposed program, whether the evidence stems from a formative evaluation of proposed activities through a field trial using a valid and reliable instrument or method to measure changes in a randomized control group that was not subjected to the proposed activities to changes in a randomized group that did receive the proposed activities.
  - b. For an existing program asserting existence of evidence, whether the evidence stemmed from a post-program summative evaluation using an experimental or quasi-experimental research design.
  - c. For both proposed and existing programs, if the evidence had been subjected to alternative interpretations and peer review.
- (5) The capacity of the administering entity to expand the program based upon existing evidence or results.
- (6) How the program proposes to engage in strategic planning.



- (7) How the program proposes to measure performance, including measurement of the following:
  - a. Total costs of program services with costs separately reported for each activity associated with each service.
  - b. Outputs or counts of units of services and for individual activities associated with each service.
  - c. Costs per unit of service and for individual activities associated with each service.
  - d. Outcomes or results attributable to each program service, including results upon completion of program service; results still evident one, two, and three years after completion; ultimate or permanent results; and when and how permanent results will be determined by the program.
  - e. Customer or client satisfaction with program services.
  - f. Statewide impacts of program outcomes as evidenced by census data or other statewide data.
  - g. Performance compared to standards and what standards the program intends to use.
- (8) How the program will continuously improve quality of program services and consistency with the strategic plan.
- (9) Whether the administering entity has conducted an assessment to identify financial and legal risks to the entity or the State and has plans for minimizing risk exposure.
- (10) Whether the program conducts five-year forecasts of annual recurring costs and sources of funding for each year.
- (11) Whether the program proposes to share costs with primary beneficiaries through a fee-for-service, co-payment, or tuition basis and the extent to which any expected cost-sharing is or will be means-tested and by what method.
- (12) How program staffing requirements are determined and an evaluation of those requirements.
- (13) Whether the program has or proposes to have a financial accounting system capable of accounting for all assets, liabilities, receipts, and disbursements.
- (14) Whether the program is or will be post-audited and if there are any potential impediments to audits or evaluations by the State Auditor, agency internal auditors, or the Program Evaluation Division of the General Assembly.

(c) The assessor must submit a written report containing the results of the measurability assessment to the Program Evaluation Division at a time and in a format required by the Program Evaluation Division.

**"§ 143E-4. Administration of measurability assessment process.**

(a) The Program Evaluation Division must use a competitive process to prequalify independent measurability assessors. The assessors will be independent contractors compensated through a uniform fee system established by the Program Evaluation Division, and there will be no guarantee that any prequalified assessor will receive assessment assignments. The Program Evaluation Division shall not assign an assessor to a measurability assessment if the assessor has been employed by or contracted with the entity within five years preceding the assessment.

(b) The Program Evaluation Division shall establish standards for assessor qualifications, independence, and conducting and reporting measurability assessments. Individuals who do not meet the qualifications may not be used to conduct measurability assessments.

(c) Whenever a measurability assessment is required, the Program Evaluation Division shall select the assessor and require the agency or institution to reimburse the Program Evaluation Division for the assessor's costs and for a share of the Program Evaluation Division's costs for administering the measurability assessment program."

**PART II. GENERAL PROVISIONS**

**SECTION 2.1.** If House Bill 1030, 2015 Regular Session, becomes law, then Section 2.1 of that act reads as rewritten: