

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023**

**SESSION LAW 2023-3  
SENATE BILL 115**

AN ACT CREATING A CERTIFICATE OF NEED EXEMPTION FOR THE CONVERSION OF A FORMER STATE-OPERATED FACILITY UNDER THE JURISDICTION OF THE SECRETARY OF HEALTH AND HUMAN SERVICES INTO A PSYCHIATRIC HOSPITAL FOR CHILDREN AND ADOLESCENTS; AND REMOVING THE R.J. BLACKLEY ALCOHOL AND DRUG TREATMENT CENTER FROM THE FACILITY CLOSURE REQUIREMENTS OF G.S. 122C-181.

The General Assembly of North Carolina enacts:

**SECTION 1.(a)** Definitions. – The following definitions apply in this section:

- (1) Department. – The Department of Health and Human Services.
- (2) State-operated facility. – Any facility that was at any time under the jurisdiction of the Secretary of Health and Human Services pursuant to G.S. 122C-181.

**SECTION 1.(b)** Exemption. – Notwithstanding Article 9 of Chapter 131E of the General Statutes, the State Medical Facilities Plan, or any other provision of law to the contrary, any not-for-profit health care system owned by the State is exempt from certificate of need review for (i) the conversion of a former State-operated facility into a psychiatric hospital for children and adolescents; (ii) the establishment or redevelopment of inpatient psychiatric beds at that psychiatric hospital; and (iii) the establishment of inpatient psychiatric services for children and adolescents at that psychiatric hospital, subject to all of the following:

- (1) The former State-operated facility is located in a county that has a total population between 60,000 and 65,000; has a total land area under 540 square miles, according to the most recent federal decennial census; and is located along the State's border with Virginia.
- (2) The State-owned entity must first enter into a written agreement with the Department to establish and operate a new psychiatric hospital at the former State-operated facility with inpatient psychiatric beds exclusively for children and adolescents.

**SECTION 1.(c)** Applicability of Licensure Laws. – The conversion of any unused State-operated facility into a psychiatric hospital for children and adolescents, as authorized by this act, is subject to existing licensure laws and requirements.

**SECTION 2.** G.S. 122C-181(a)(3)d. is repealed.

**SECTION 3.** No later than April 1, 2023, the Secretary shall enter into an agreement with a State entity meeting the description in G.S. 116-37 for the operation of a psychiatric hospital for children and adolescents on the campus of the facility known as the R.J. Blackley Alcohol and Drug Treatment Center, which will cease State-operation on March 1, 2023.



**SECTION 4.** This act is effective when it becomes law.  
In the General Assembly read three times and ratified this the 9<sup>th</sup> day of March, 2023.

s/ Phil Berger  
President Pro Tempore of the Senate

s/ Tim Moore  
Speaker of the House of Representatives

s/ Roy Cooper  
Governor

Approved 3:44 p.m. this 10<sup>th</sup> day of March, 2023