

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023**

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SENATE BILL 859

Short Title: Redirect Crisis Pregnancy Center Funds. (Public)

Sponsors: Senators Marcus, Grafstein, and Murdock (Primary Sponsors).

Referred to: Rules and Operations of the Senate

May 6, 2024

1 A BILL TO BE ENTITLED
2 AN ACT REDIRECTING FUNDS APPROPRIATED TO THE DEPARTMENT OF HEALTH
3 AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, FOR CRISIS
4 PREGNANCY CENTERS TO INSTEAD BE USED TO SUPPORT THE EXPANSION OF
5 EVIDENCE-BASED MATERNAL AND INFANT HEALTH PROGRAMS; AND
6 ESTABLISHING ADDITIONAL REPORTING REQUIREMENTS FOR CRISIS
7 PREGNANCY CENTERS THAT RECEIVE STATE FUNDS.

8 The General Assembly of North Carolina enacts:

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10 **PART I. REDIRECT CRISIS PREGNANCY CENTER FUNDS TO EVIDENCE-BASED**
11 **MATERNAL AND INFANT HEALTH PROGRAMS**

12 **SECTION 1.1.** Effective July 1, 2024, and notwithstanding any provision of S.L.
13 2023-134, the Committee Report described in Section 43.2 of that act, or any other provision of
14 law to the contrary, funds appropriated from the General Fund to the Department of Health and
15 Human Services, Division of Public Health, in the sum of six million two hundred fifty thousand
16 dollars (\$6,250,000) in recurring funds for the 2024-2025 fiscal year for allocation to the Carolina
17 Pregnancy Care Fellowship, a nonprofit organization, shall instead be used to support the
18 expansion of evidence-based programs and services administered by the Department of Health
19 and Human Services that support maternal and infant health.

20 **SECTION 1.2.** Section 9H.11 of S.L. 2023-134 is repealed effective July 1, 2024.

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22 **PART II. ADDITIONAL REPORTING REQUIREMENTS FOR CRISIS PREGNANCY**
23 **CENTERS THAT RECEIVE STATE FUNDS**

24 **SECTION 2.1.(a)** Chapter 131E of the General Statutes is amended by adding a new
25 section to read:

26 "**§ 131E-269.5. Crisis pregnancy centers; reporting requirements.**

27 (a) Definitions. – As used in this section, the following terms have the following
28 meanings:

29 (1) Crisis pregnancy center. – A nonprofit organization, other than a hospital,
30 ambulatory surgical facility, or clinic that performs abortions, that holds itself
31 out as a facility that provides care for pregnant women, including pregnancy
32 counseling services, pregnancy testing, and other nonmedical pregnancy
33 services.

34 (2) Fiscal year. – The annual operating year of the crisis pregnancy center.



1 (3) State financial assistance. – State funds disbursed to a crisis pregnancy center
2 as a grant, cooperative agreement, noncash contribution, or direct
3 appropriation to a crisis pregnancy center.

4 (4) State funds. – As defined in G.S. 143C-1-1(d)(25).

5 (b) Reporting Requirements. – In addition to the reporting requirements specified in 09
6 NCAC 03M .0205, each crisis pregnancy center that is a recipient or subrecipient of any amount
7 of State financial assistance shall submit a report to the Department of Health and Human
8 Services, the Joint Legislative Oversight Committee on Health and Human Services, and the
9 Fiscal Research Division within 60 days after the end of the fiscal year in which the crisis
10 pregnancy center received State financial assistance. The report shall include all of the following
11 information with respect to the fiscal year in which the State financial assistance was received:

12 (1) The name of the center and each location where the center conducts business
13 or provides services.

14 (2) The total amount of State funds, federal funds, tax subsidies, or other
15 subsidies, if any, the center received directly or indirectly, broken down by
16 location if the center conducts business or provides services at more than one
17 location.

18 (3) An explanation of whether the center is part of a larger umbrella organization
19 that operates within the State and, if so, the total amount of State and federal
20 funds or tax or other subsidies, if any, the umbrella organization received
21 directly or indirectly, broken down by location if the umbrella organization
22 conducts business or provides services at more than one location.

23 (4) An explanation of all services provided at the center and what services were
24 most frequently sought at the center, broken down by location if the center
25 conducts business or provides services at more than one location.

26 (5) The number of women who accessed services provided at the center during
27 the fiscal year, the geographic regions of the State where these women reside,
28 the distance from the center to the nearest licensed health care facility that
29 provides the same services offered at the center, the price of each service
30 offered at the center, and basic demographic information about each of the
31 women who accessed services provided at the center, including their race, age,
32 and marital status. Basic demographic information included in any report
33 required by this subdivision shall be published in the aggregate without any
34 personal identifying information.

35 (6) An explanation of whether the center holds itself out to the public, either in
36 person, through community participation or events, or through advertising or
37 websites, as a medical facility, health care facility, or other entity that provides
38 comprehensive counseling about all pregnancy options.

39 (7) An explanation of whether women seeking or accessing services at the center
40 are also seeking comprehensive counseling services about pregnancy options
41 or pregnancy services at a licensed health care facility and, if so, whether these
42 women have experienced a delay in receiving health care, including abortion
43 or the initiation of prenatal care, due to a visit to a center.

44 (8) An explanation of whether the center enrolls women in any public benefits
45 programs or connects women to other services and, if so, identification of
46 which programs and services.

47 (9) The nature of information provided to clients or potential clients at the center
48 and an explanation of whether the center has operational manuals, handbooks,
49 or guidelines related to the provision of services to clients.

50 (10) The number of professional and volunteer staff who provide health care or
51 counseling services at the center who are licensed by the State of North

1 Carolina to provide such services, broken down by professional title and
2 location if the center has more than one location. In reporting this information,
3 the center shall specify the number of professional and volunteer staff who are
4 on-site at the center during regular business hours and whether the center
5 informs women whether the individuals on-site providing services are
6 licensed professionals or volunteers.

7 (11) A description of any health or other information the center collects from
8 women accessing the services of the center, how the center stores and uses
9 medical and other client records, and whether the medical records are in
10 compliance with federal and State law governing medical privacy."

11 **SECTION 2.1.(b)** G.S. 131E-269.5, as enacted by subsection (a) of this section,
12 applies to any crisis pregnancy center that receives State financial assistance on or after July 1,
13 2019. As used in this subsection, the terms "crisis pregnancy center" and "State financial
14 assistance" have the same meanings as in G.S. 131E-269.5, as enacted by subsection (a) of this
15 section.

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17 **PART III. EFFECTIVE DATE**

18 **SECTION 3.1.** Except as otherwise provided, this act is effective when it becomes
19 law.