

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30059-NG-38

Short Title: School Contracted Health Services.

(Public)

Sponsors: Representative Bradford.

Referred to:

A BILL TO BE ENTITLED
AN ACT TO ALLOW CHILDREN WITH DISABILITIES WHO RECEIVED SERVICES
PRIOR TO ENROLLING IN A LOCAL EDUCATIONAL AGENCY THE
OPPORTUNITY TO CONTINUE RECEIVING THOSE SERVICES FROM THE SAME
PROVIDER WHILE AT SCHOOL.

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.

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. Local educational agencies shall afford the opportunity for service providers to contract with the agency outside of the contracting request for proposal (RFP) period if all of the following apply:

- (1) The provider provides services to a student who attends or will attend a school within the local educational agency.
- (2) The services provided to the student are required by an IEP.
- (3) The provider meets all licensing criteria required for any other provider contracted by the local educational agency.
- (4) The contracted rate is equal to or less than the contracted rate of other providers contracted by the local educational agency."

SECTION 2. G.S. 115C-111.6 reads as rewritten:

"§ 115C-111.6. Obligation to provide services for preschool children with disabilities.

State funds appropriated to the public schools to implement preschool services for children with disabilities under this Article and IDEA shall be used to provide special education and related services to preschool children with disabilities. These State funds shall be used to supplement and not supplant existing federal, State, and local funding for the public schools.

Preschool children with disabilities will continue to be served by all other State funds to which they are otherwise entitled. If a child received services from a licensed provider prior to enrolling in a preschool program, the preschool program shall make all reasonable accommodations for the child to continue receiving those services from that provider while enrolled in the program so long as the provider meets the criteria set out in G.S. 115C-111.2."

SECTION 3. This act is effective when it becomes law and applies beginning with the 2023-2024 school year.



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