

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 150

Short Title: School Contracted Health Services. (Public)

Sponsors: Representatives Bradford, K. Baker, Crutchfield, and Cunningham (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Education - K-12, if favorable, Rules, Calendar, and Operations of the House

February 21, 2023

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

6 The General Assembly of North Carolina enacts:

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

8 **"§ 115C-111.2. Contracts with private service providers.**

9 Local educational agencies furnishing special education and related services to children with
10 disabilities may contract with private special education facilities or service providers to furnish
11 any of these services that the public providers are unable to furnish. Local educational agencies
12 shall afford the opportunity for service providers to contract with the agency outside of the
13 contracting request for proposal (RFP) period if all of the following apply:

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

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

22 **"§ 115C-111.6. Obligation to provide services for preschool children with disabilities.**

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

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

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

