

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL DRS35029-MG-34

Short Title: Repurpose R.J. Blackley Ctr as Psych Hospital. (Public)

Sponsors: Senators Krawiec, Burgin, and Corbin (Primary Sponsors).

Referred to:

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

8 The General Assembly of North Carolina enacts:

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

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

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

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

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

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

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



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SECTION 4. This act is effective when it becomes law.