



## CHAPTER 108A

## ARTICLE 6 - PROTECTION OF THE ABUSED, NEGLECTED OR EXPLOITED DISABLED ADULT ACT

## N.C.G.S. § 108A-104.

# Provision of protective services with the consent of the person; withdrawal of consent; caretaker refusal.

| SOURCE                                                                   | LAST AMENDMENT IN THIS TEXT             | RETRIEVED                    | SOURCE FINGERPRINT                                                     |
|--------------------------------------------------------------------------|-----------------------------------------|------------------------------|------------------------------------------------------------------------|
| General Statutes of North Carolina, as published by the General Assembly | c. 275, s. 1 — third act in the lineage | 21 September 2026, 04:56 UTC | 2e6baf6ea8d8b95ca1369cf2 - 1728e50fd8948951ebdc28db - f9b4d232c54b3047 |

**§ 108A-104(a)** If the director determines that a disabled adult is in need of protective services, he shall immediately provide or arrange for the provision of protective services, provided that the disabled adult consents.

**§ 108A-104(b)** When a caretaker of a disabled adult who consents to the receipt of protective services refuses to allow the provision of such services to the disabled adult, the director may petition the district court for an order enjoining the caretaker from interfering with the provision of protective services to the disabled adult. The petition must allege specific facts sufficient to show that the disabled adult is in need of protective services and consents to the receipt of protective services and that the caretaker refuses to allow the provision of such services. If the judge finds by clear, cogent, and convincing evidence that the disabled adult is in need of protective services and consents to the receipt of protective services and that the caretaker refuses to allow the provision of such services, he may issue an order enjoining the caretaker from interfering with the provision of protective services to the disabled adult.

**§ 108A-104(c)** If a disabled adult does not consent to the receipt of protective services, or if he withdraws his consent, the services shall not be provided.

APPARATUS I  
3 ACTS

## Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

| 1973                                                                      |      | 1977          | 1981      |
|---------------------------------------------------------------------------|------|---------------|-----------|
| TICK HEIGHT = ACTS IN THAT YEAR    DASHED = RECODIFICATION, NOT AMENDMENT |      |               |           |
| Nº                                                                        | YEAR | ACT           | CHARACTER |
| 01                                                                        | 1973 | c. 1378, s. 1 | ENACTED   |
| 02                                                                        | 1975 | c. 797        | AMENDED   |
| 03                                                                        | 1981 | c. 275, s. 1  | AMENDED   |

## APPARATUS III

## Citation

## FULL SECTION

N.C. Gen. Stat. § 108A-104 (1981).

## PINPOINT

N.C. Gen. Stat. § 108A-104(a) (1981).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

## COLOPHON

## Provenance

This document reproduces the text of one section of the General Statutes of North Carolina from a source file whose SHA-256 digest is printed on every page. The digest fixes the bytes this export was made from; if the State's file changes, the digest will not match.

The text of the section is unaltered. Subsection designators have been moved from the run of text into the margin. The amendment history and the table of authorities are derived from the section by mechanical extraction — they add no characterization of the law.

This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE  
(1973, c. 1378, s. 1; 1975, c. 797; 1981, c. 275, s. 1.)

SET IN SPECTRAL AND ARCHIVO  
NORTH CAROLINA LAW — STATUTE EXPORT, FORMAT V1

