



CHAPTER 108A
ARTICLE 2 - PROGRAMS OF PUBLIC ASSISTANCE

N.C.G.S. § 108A-42.

Determination of disability.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT c. 14, s. 1 — third act in the lineage	RETRIEVED 21 September 2026, 05:11 UTC	SOURCE FINGERPRINT 59ecebc3991a7e74400c823b - 3a5e7fbc47c4e4368fb1a115 - 27c46331238bbf5c
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§ 108A-42(a) For purposes of G.S. 108A-41(b)(1), a person is permanently and totally disabled if:

- (1) This person was receiving aid to the disabled assistance in December 1973, and continues to be disabled under the definition of disability, having a physical or mental impairment which substantially precludes him from obtaining gainful employment and this impairment appears reasonably certain to continue without substantial improvement throughout his lifetime; or
- (2) This person applied for assistance on or after January 1, 1974, and is disabled under the Social Security standards.

§ 108A-42(b) For purposes of G.S. 108A-41(d), a "Certain Disabled" person is a person in a private living arrangement who is age 18 but less than age 65, having a physical or mental impairment which substantially precludes him from obtaining gainful employment, which impairment appears reasonably certain to continue without substantial improvement throughout his lifetime.

§ 108A-42(c) Disability shall be reviewed by medical consultants employed by the Department. The final decision on the disability shall be made by these medical consultants under rules and regulations adopted by the Social Services Commission.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

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.

1979		1981	1983
TICK HEIGHT = ACTS IN THAT YEAR		DASHED = RECODIFICATION, NOT AMENDMENT	
Nº	YEAR	ACT	CHARACTER
01	1979	c. 702, s. 9	ENACTED
02	1981	c. 275, s. 1	AMENDED
03	1983	c. 14, s. 1	AMENDED

APPARATUS II
2 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 108A-41(b)(1)	(a)	"For purposes of"
G.S. 108A-41(d)	(b)	"For purposes of"

APPARATUS III

Citation

FULL SECTION
N.C. Gen. Stat. § 108A-42 (1983).

PINPOINT
N.C. Gen. Stat. § 108A-42(a) (1983).

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

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE
(1979, c. 702, s. 9; 1981, c. 275, s. 1; 1983, c. 14, s. 1.)

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