



CHAPTER 122C
ARTICLE 4 - ORGANIZATION AND SYSTEM FOR DELIVERY OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND
SUBSTANCE ABUSE SERVICES

N.C.G.S. § 122C-115.

Duties of counties; appropriation and allocation of funds by counties and cities.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2024-34, s. 12.2 — twenty-sixth act in the lineage	21 September 2026, 05:37 UTC	4bc87e063a86b1a6c100be20 - 34c2f841ef1adea24e9c2552 - 0718b7698041589b

- § 122C-115(a)

A county shall provide mental health, developmental disabilities, and substance use disorder services in accordance with rules, policies, and guidelines adopted pursuant to statewide restructuring of the management responsibilities for the delivery of services for individuals with mental illness, intellectual or other developmental disabilities, and substance use disorders through an area authority. The catchment area of an area authority shall contain a minimum population of at least 1,500,000 based on the 2023 population estimate from the State Demographer of the Office of Budget and Management. To the extent this section conflicts with G.S. 153A-77, the provisions of this section control.
- § 122C-115(a1)

Repealed by Session Laws 2023-134, s. 9G.7A(a6), effective October 3, 2023.
- § 122C-115(a2)

Repealed by Session Laws 2023-134, s. 9G.7A(a6), effective October 3, 2023.
- § 122C-115(a3)

Repealed by Session Laws 2023-134, s. 9G.7A(a6), effective October 3, 2023.
- § 122C-115(b)

Counties shall and cities may appropriate funds for the support of programs that serve the catchment area, whether the programs are physically located within a single county or whether any facility housing a program is owned and operated by the city or county. Counties and cities may make appropriations for the purposes of this Chapter and may allocate for these purposes other revenues not restricted by law, and counties may fund them by levy of property taxes pursuant to G.S. 153A-149(c)(22).

- § 122C-115(c)** Within a catchment area, a board of county commissioners or two or more boards of county commissioners jointly shall establish an area authority with the approval of the Secretary.
- § 122C-115(c1)** Repealed by Session Laws 2023-134, s. 9G.7A(a6), effective October 3, 2023.
- § 122C-115(d)** Except as otherwise provided in this subsection, counties shall not reduce county appropriations and expenditures for current operations and ongoing programs and services of area authorities because of the availability of State-allocated funds, fees, capitation amounts, or fund balance to the area authority. Counties may reduce county appropriations by the amount previously appropriated by the county for one-time, nonrecurring special needs of the area authority.
- § 122C-115(e)** Beginning July 1, 2021, LME/MCOs shall cease managing Medicaid services for all Medicaid recipients who are enrolled in a standard benefit plan.
- § 122C-115(e1)** Until BH IDD tailored plans become operational, all of the following shall occur:
- (1) LME/MCOs shall continue to manage the Medicaid services that are covered by the LME/MCOs under the combined 1915(b) and (c) waivers for Medicaid recipients who are covered by the those waivers and who are not enrolled in a standard benefit plan.
 - (2) The Division of Health Benefits shall negotiate actuarially sound capitation rates directly with the LME/MCOs based on the change in composition of the population being served by the LME/MCOs.
 - (3) Capitation payments under contracts between the Division of Health Benefits and the LME/MCOs shall be made directly to the LME/MCO by the Division of Health Benefits.
- § 122C-115(f)** LME/MCOs operating the BH IDD tailored plans under G.S. 108D-60 may contract with the Department to continue to manage the behavioral health, intellectual and developmental disability, and traumatic brain injury services for any Medicaid recipients who are not enrolled in a BH IDD tailored plan or the CAF specialty plan.

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.



Nº	YEAR	ACT	CHARACTER
01	1977	c. 568, s. 1	ENACTED
02	1977	c. 679, s. 7	AMENDED
03	1979	c. 358, ss. 5, 23	AMENDED
04	1981	c. 51, s. 3	AMENDED
05	1985	c. 589, s. 2	AMENDED
06	1989	c. 625, s. 14	AMENDED
07	1989	1995 (Reg. Sess., 1996), c. 749, s. 1	AMENDED
08	1999	S.L. 1999-202, s. 1	AMENDED
09	2001	S.L. 2001-437, s. 1.8	AMENDED
10	2004	S.L. 2004-124, s. 10.26(a)	AMENDED
11	2006	S.L. 2006-66, s. 10.32(c), (d)	AMENDED
12	2007	S.L. 2007-504, s. 1.3	AMENDED
13	2011	S.L. 2011-264, s. 2	AMENDED
14	2012	S.L. 2012-151, ss. 1, 6	AMENDED
15	2013	S.L. 2013-85, s. 4(a)-(c)	AMENDED
16	2013	S.L. 2013-363, s. 4.12(a)	AMENDED
17	2013	S.L. 2013-378, s. 11	AMENDED
18	2013	S.L. 2013-410, s. 23(a)	AMENDED
19	2015	S.L. 2015-245, s. 4	AMENDED
20	2018	S.L. 2018-48, s. 1	AMENDED
21	2019	S.L. 2019-81, ss. 12, 14(a)(8)	AMENDED
22	2020	S.L. 2020-88, s. 12(c)	AMENDED
23	2021	S.L. 2021-62, ss. 3.4A(b), 4.8(d)	AMENDED
24	2023	S.L. 2023-65, s. 5.1(a)	AMENDED

25	2023	S.L. 2023-134, ss. 9E.22(m), 9G.7A(a6)	AMENDED
26	2024	S.L. 2024-34, s. 12.2	AMENDED

APPARATUS II
3 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. 153A-77	(a)	<i>"the extent this section conflicts with"</i>
G.S. 153A-149(c)(22)	(b)	<i>"levy of property taxes pursuant to"</i>
G.S. 108D-60	(f)	<i>"the BH IDD tailored plans under"</i>

APPARATUS III

Citation

FULL SECTION
N.C. Gen. Stat. § 122C-115 (2024).

PINPOINT
N.C. Gen. Stat. § 122C-115(a) (2024).

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

(1977, c. 568, s. 1; c. 679, s. 7; 1979, c. 358, ss. 5, 23; 1981, c. 51, s. 3; 1985, c. 589, s. 2; 1989, c. 625, s. 14; 1995 (Reg. Sess., 1996), c. 749, s. 1; 1999-202, s. 1; 2001-437, s. 1.8; 2004-124, s. 10.26(a); 2006-66, s. 10.32(c), (d); 2007-504, s. 1.3; 2011-264, s. 2; 2012-151, ss. 1, 6; 2013-85, s. 4(a)-(c); 2013-363, s. 4.12(a); 2013-378, s. 11; 2013-410, s. 23(a); 2015-245, s. 4; 2018-48, s. 1; 2019-81, ss. 12, 14(a)(8); 2020-88, s. 12(c); 2021-62, ss. 3.4A(b), 4.8(d); 2023-65, s. 5.1(a); 2023-134, ss. 9E.22(m), 9G.7A(a6); 2024-34, s. 12.2.)

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

