

**CHAPTER 122C**

ARTICLE 2 - LICENSURE OF FACILITIES FOR INDIVIDUALS WITH MENTAL HEALTH DISORDERS, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE USE DISORDERS

N.C.G.S. § 122C-22.

Exclusions from licensure; deemed status.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2023-65, s. 8.3 — nineteenth act in the lineage	21 September 2026, 03:33 UTC	877da9110f9c554d4e3ca078 - a4ed65872cd5738c6909ca19 - f44657bd3071c832

§ 122C-22(a)

All of the following are excluded from the provisions of this Article and are not required to obtain licensure under this Article:

- (1) Physicians and psychologists engaged in private office practice.
- (2) General hospitals licensed under Article 5 of Chapter 131E of the General Statutes, that operate special units for patients with a mental health disorder diagnosis, one or more developmental disabilities, or a substance use disorder.
- (3) State and federally operated facilities.
- (4) Adult care homes licensed under Chapter 131D of the General Statutes.
- (5) Developmental child care centers licensed under Article 7 of Chapter 110 of the General Statutes.
- (6) Persons subject to licensure under rules of the Social Services Commission.
- (7) Persons subject to rules and regulations of the Division of Employment and Independence for People with Disabilities.
- (8) Facilities that provide occasional respite care for not more than two individuals at a time; provided that the primary purpose of the facility is other than as defined in G.S. 122C-3(14).
- (9) Twenty-four-hour nonprofit facilities established for the purposes of shelter care and recovery from alcohol or other substance use disorder through a 12-step, self-help, peer role modeling, and self-governance approach.

- (10) Inpatient chemical dependency or substance abuse facilities that provide services exclusively to inmates of the Department of Adult Correction, as described in G.S. 148-19.1.
- (11) A charitable, nonprofit, faith-based, adult residential treatment facility that does not receive any federal or State funding and is a religious organization exempt from federal income tax under section 501(a) of the Internal Revenue Code.
- (12) A home in which up to three adults, two or more having a disability, co-own or co-rent a home in which the persons with disabilities are receiving three or more hours of day services in the home or up to 24 hours of residential services in the home. The individuals who have disabilities cannot be required to move if the individuals change services, change service providers, or discontinue services.

§ 122C-22(b)

The Commission may adopt rules establishing a procedure whereby a facility that would otherwise require licensure under this Article that is certified by a nationally recognized agency, such as the Joint Commission on Accreditation of Hospitals, may be deemed licensed under this Article by the Secretary. Any facility licensed under the provisions of this subsection shall continue to be subject to inspection by the Secretary. The Secretary shall collaborate with relevant agencies to ensure that any facilities deemed licensed under this Article maintain the required certification.

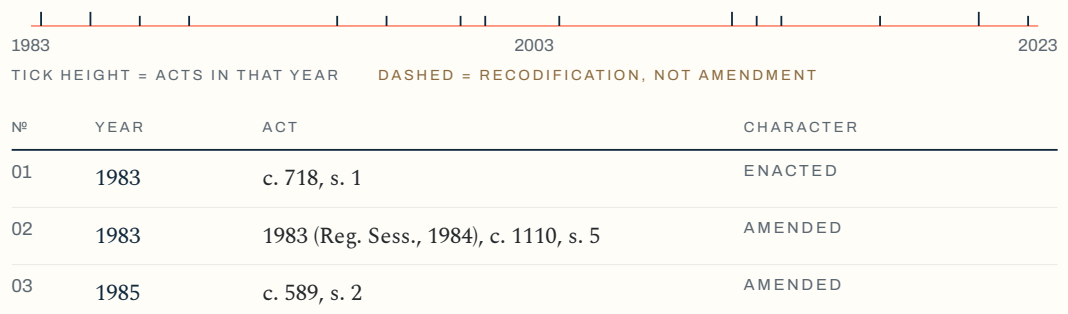
END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
19 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.



04	1985	c. 695, s. 13	AMENDED
05	1987	c. 345, s. 2	AMENDED
06	1989	c. 625, s. 5	AMENDED
07	1995	c. 535, s. 7	AMENDED
08	1997	S.L. 1997-506, s. 43	AMENDED
09	2000	S.L. 2000-67, s. 11.25A	AMENDED
10	2001	S.L. 2001-424, s. 25.19(b)	AMENDED
11	2004	S.L. 2004-199, s. 32	AMENDED
12	2011	S.L. 2011-145, s. 19.1(h)	AMENDED
13	2011	S.L. 2011-202, s. 1	AMENDED
14	2012	S.L. 2012-15, s. 1	AMENDED
15	2013	S.L. 2013-410, s. 11	AMENDED
16	2017	S.L. 2017-186, s. 2(jjjjj)	AMENDED
17	2021	S.L. 2021-77, s. 7.3(a)	AMENDED
18	2021	S.L. 2021-180, s. 19C.9(ooo)	AMENDED
19	2023	S.L. 2023-65, s. 8.3	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. 122C-3(14)	(a)(8)	<i>"is other than as defined in"</i>
G.S. 148-19.1	(a)(10)	<i>"of Adult Correction, as described in"</i>

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 122C-22 (2023).

PINPOINT

N.C. Gen. Stat. § 122C-22(a) (2023).

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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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

(1983, c. 718, s. 1; 1983 (Reg. Sess., 1984), c. 1110, s. 5; 1985, c. 589, s. 2; c. 695, s. 13; 1987, c. 345, s. 2; 1989, c. 625, s. 5; 1995, c. 535, s. 7; 1997-506, s. 43; 2000-67, s. 11.25A; 2001-424, s. 25.19(b); 2004-199, s. 32; 2011-145, s. 19.1(h); 2011-202, s. 1; 2012-15, s. 1; 2013-410, s. 11; 2017-186, s. 2(jjjj); 2021-77, s. 7.3(a); 2021-180, s. 19C.9(ooo); 2023-65, s. 8.3.)

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