

**CHAPTER 131D****ARTICLE 1A - CONTROL OVER CHILD PLACING AND CHILD CARE****N.C.G.S. § 131D-10.6.**

Powers and duties of the Department.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2019-240, s. 25(b) — sixth act in the lineage	21 September 2026, 03:39 UTC	43649fbceb16af0634815535 - 9e8bb80e43122245dc8a8a96 - 8f382212dfb3d514

In addition to other powers and duties prescribed by law, the Department shall exercise the following powers and duties:

Investigate applicants for licensure to determine whether they are in compliance with licensing rules adopted by the Commission and the provisions of this Article.

Grant a license when an investigation shows compliance with this Article and Commission rules. The license shall be valid for a period not to exceed 24 months as specified by Commission rules and may be revoked or placed in suspended or provisional status sooner if the Department finds that licensure rules are not being met or upon a finding that the health, safety or welfare of children is threatened.

Administer and enforce the provisions of this Article and the rules of the Commission.

Appoint hearing officers to conduct appeals pursuant to this Article.

Prescribe the form in which application for licensure or a request for waiver of Commission rules shall be submitted.

Inspect facilities and obtain records, documents and other information necessary to determine compliance with the provisions of this Article and Commission rules.

Grant, deny, suspend or revoke a license or a provisional license, in accordance with this Article, G.S. 108A-150, and Commission rules.

Act to grant or deny a request for waiver of Commission rules within 10 business days after its receipt. Grant a waiver for good cause to Commission rules that do not affect the health, safety, or welfare of children in facilities subject to licensure under this Article, in accordance with Commission rules.

Undertake a comprehensive study of the existing procedures for granting or denying an application for licensure or a request for waiver of Commission rules and report to the General Assembly on or before

May 1, 1998, regarding its efforts to make the process more efficient and less time-consuming and its recommendations for any changes in the licensing laws or rules. The study shall include the development of a procedure that will ensure that the local Guardian Ad Litem Program is notified by the county department of social services of the request for a waiver if a guardian has been appointed for any child who may be affected by the waiver.

Report annually on October 1 to the Joint Legislative Oversight Committee on Health and Human Services the level of facility compliance with applicable State law governing the use of restraint and time-out in residential child-care facilities. The report shall also include the total number of facilities that reported deaths under this section, the number of deaths reported by each facility, the number of deaths investigated pursuant to this section, and the number found by the investigation to be related to the use of physical restraint or time-out.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
6 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.

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TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT

Nº	YEAR	ACT	CHARACTER
01	1983	c. 637, s. 2	ENACTED
02	1997	S.L. 1997-110, s. 1	AMENDED
03	2000	S.L. 2000-129, s. 5(b)	AMENDED
04	2003	S.L. 2003-58, s. 3	AMENDED
05	2011	S.L. 2011-291, s. 2.48	AMENDED
06	2019	S.L. 2019-240, s. 25(b)	AMENDED

APPARATUS II
1 AUTHORITY

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-150	(null)(7)	"license, in accordance with this Article,"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 131D-10.6 (2019).

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. 637, s. 2; 1997-110, s. 1; 2000-129, s. 5(b); 2003-58, s. 3; 2011-291, s. 2.48; 2019-240, s. 25(b).)

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