



CHAPTER 131E
ARTICLE 9 - CERTIFICATE OF NEED

N.C.G.S. § 131E-177.

Department of Health and Human Services
is designated State Health Planning and
Development Agency; powers and duties.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2025-25, s. 39.2(c) — twelfth act in the lineage	21 September 2026, 02:30 UTC	28f8aaf16e3a673ba960d710 - b64761a2154aa46c7b7ab241 - 1c9e215c60b57f75

The Department of Health and Human Services is designated as the State Health Planning and Development Agency for the State of North Carolina and has all of the following powers and duties:

Establish standards and criteria or plans required to carry out the provisions and purposes of this Article and to adopt rules pursuant to Chapter 150B of the General Statutes to carry out the purposes and provisions of this Article.

Adopt, amend, and repeal rules, as may be required by the federal government for grants-in-aid for health service facilities and health planning that may be made available by the federal government. This section shall be liberally construed in order that the State and its citizens may benefit from these grants-in-aid.

Define, by rule, procedures for submission of periodic reports by persons or health service facilities subject to agency review under this Article.

Develop policy, criteria, and standards for health service facilities planning. The Department shall conduct statewide registration and inventories of and make determinations of need for health service facilities, health services as specified in G.S. 131E-176(16)f., and equipment as specified in G.S. 131E-176(16)f1., including consideration of adequate geographic location of equipment and services; and develop a State Medical Facilities Plan.

Implement, by rule, criteria for project review.

Grant, deny, or withdraw a certificate of need and impose sanctions provided for by this Article.

Solicit, accept, hold, and administer on behalf of the State any grants or devises of money, securities, or property to the Department for use by the Department in the administration of this Article.

Repealed by Session Laws 1987, c. 511, s. 1.

Collect fees for submitting applications for certificates of need.

Review all records in any recording medium of any person or health service facility subject to agency review under this Article that pertain to construction and acquisition activities, staffing, or costs and charges for patient care, including but not limited to, construction contracts, architectural contracts, consultant contracts, purchase orders, cancelled checks, accounting and financial records, debt instruments, loan and security agreements, staffing records, utilization statistics, and any other records the Department deems reasonably necessary to determine compliance with this Article.

The Secretary of Health and Human Services has final decision-making authority with regard to all functions described in this section.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
12 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.

1977	2001		2025
TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT			
Nº	YEAR	ACT	CHARACTER
01	1977	2nd Sess., c. 1182, s. 2	ENACTED
02	1981	c. 651, s. 1	AMENDED
03	1983	c. 713, s. 96	AMENDED
04	1983	c. 775, ss. 1, 6	AMENDED
05	1987	c. 511, s. 1	AMENDED
06	1991	c. 692, s. 2	AMENDED
07	1993	c. 7, s. 3	AMENDED
08	1993	c. 383, ss. 2, 3	AMENDED
09	1997	S.L. 1997-443, s. 11A.118(a)	AMENDED
10	2007	S.L. 2007-323, s. 30.4(a)	AMENDED

11	2011	S.L. 2011-284, s. 90	AMENDED
12	2025	S.L. 2025-25, s. 39.2(c)	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. 131E-176(16)	(null)(4)	"facilities, health services as specified in"

APPARATUS III

Citation

FULL SECTION
N.C. Gen. Stat. § 131E-177 (2025).

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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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, 2nd Sess., c. 1182, s. 2; 1981, c. 651, s. 1; 1983, c. 713, s. 96; c. 775, ss. 1, 6; 1987, c. 511, s. 1; 1991, c. 692, s. 2; 1993, c. 7, s. 3; c. 383, ss. 2, 3; 1997-443, s. 11A.118(a); 2007-323, s. 30.4(a); 2011-284, s. 90; 2025-25, s. 39.2(c).)

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