



CHAPTER 7B
ARTICLE 9 - DISPOSITIONS

N.C.G.S. § 7B-903.2.

Emergency motion for placement and payment.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	No amendment history on record	21 September 2026, 05:35 UTC	46965eb7a54130eb3576df5c - 422fbd51ea3a4d73da25ccaf - ba456e53b77207bb

- § 7B-903.2(a)

If the requirements of G.S. 122C-142.2(b) through (f1) are not satisfied, a party to the juvenile case, the hospital where the juvenile is currently located, the local management entity/managed care organization, or the prepaid health plan may make a limited appearance for the sole purpose of filing a motion in the district court in the county with jurisdiction over the juvenile in the abuse, neglect, and dependency matter regarding the juvenile's continued stay in the hospital.
- § 7B-903.2(b)

The motion shall contain a specific description of the requirements of G.S. 122C-142.2(b) through (f1) which were not satisfied.
- § 7B-903.2(b1)

Information regarding any failure of a hospital to reasonably cooperate in providing access to the juvenile under G.S. 122C-142.2 may be provided to the court as evidence in a hearing on a motion made under this section of a defense for the alleged violation by the county department or local management entity/managed care organization or prepaid health plan.
- § 7B-903.2(c)

The motion shall be served on all parties to the juvenile proceeding pursuant to G.S. 1A-1, Rule 5. The motion shall also be served upon the hospital where the juvenile is receiving services, the local management entity/managed care organization or prepaid health plan for the juvenile, and the Division, in accordance with G.S. 1A-1, Rule 4. The hospital and the local management entity/managed care organization or prepaid health plan for the juvenile, upon service of the motion, shall automatically become a party to the juvenile proceeding for the limited purpose of participating

in hearings held in relation to and for complying with orders entered by the court pursuant to this section. The Division, as supervising principal of the local county department of social services, shall be provided the opportunity to be heard in any hearing on any motion filed under this subsection.

§ 7B-903.2(d)

Upon request of the movant, the department of social services shall provide the movant with the case file number, the juvenile's name, and the addresses of all parties and attorneys in the juvenile matter, to the extent necessary to effectuate service pursuant to subsection (c) of this section. Nothing in this section shall require the department of social services to provide the name and address of the juvenile who is a party to the action.

§ 7B-903.2(e)

Within 10 business days of when the motion is served or the next scheduled juvenile court session, whichever occurs later, the motion shall be heard in the district court with jurisdiction over the juvenile in the abuse, neglect, and dependency matter. The rules of evidence in civil cases shall apply. Any person or party served with notice of the motion pursuant to subsection (b) of this section may request to be heard by the court and present evidence. The hearing shall be conducted in accordance with G.S. 7B-801.

§ 7B-903.2(f)

The court shall make written findings of fact and conclusions of law, including whether:

- (1) The movant established by clear and convincing evidence that the juvenile met hospital discharge criteria.
- (2) The responsible party has not satisfied the requirements of G.S. 122C-142.2(b) through (f1).

§ 7B-903.2(g)

When the court finds that there is clear and convincing evidence that the juvenile has met hospital discharge criteria and that the responsible party has not satisfied the requirements of G.S. 122C-142.2(b) through (f1), the court may order any of the following:

- (1) That the responsible party pay reasonable hospital charges of the juvenile's continued stay at the hospital. The reasonable charges shall be limited to those incurred after the date the juvenile met hospital discharge criteria.
- (2) That the responsible party pay for any damage to property caused by the juvenile incurred after the date the juvenile met hospital discharge criteria.

- (3) That the responsible party satisfy the requirements of G.S. 122C-142.2(b) through (f1).
- (4) Any relief the court finds appropriate.

- § 7B-903.2(h)

The order shall be reduced to writing, signed, and entered no later than 72 hours following the completion of the hearing. The clerk of court for juvenile matters shall schedule a subsequent hearing for review within 30 days of entry of the order.
- § 7B-903.2(i)

If at any time after the motion is filed, the juvenile is discharged from the hospital and placed by the director, the court shall dismiss the motion. The dismissal shall not preclude a separate cause of action for monetary damages.
- § 7B-903.2(j)

All parties to the hearing shall bear their own costs. (2021-132, s. 5(b); 2025-16, s. 1.12(a).)

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS II

4 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-142.2(b)	(a)	<i>"If the requirements of"</i>
G.S. 122C-142.2	(b1)	<i>"providing access to the juvenile under"</i>
G.S. 1A-1	(c)	<i>"to the juvenile proceeding pursuant to"</i>
G.S. 7B-801	(e)	<i>"shall be conducted in accordance with"</i>

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 7B-903.2 (2026).

PINPOINT

N.C. Gen. Stat. § 7B-903.2(a) (2026).

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.

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