

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

H

3

HOUSE BILL 625\*  
Committee Substitute Favorable 5/21/07  
Senate Health Care Committee Substitute Adopted 6/20/07

Short Title: Amend MH/DD/SA Statutes/Rename Facilities.-AB

(Public)

Sponsors:

Referred to:

March 14, 2007

1 A BILL TO BE ENTITLED  
2 AN ACT TO RENAME MENTAL HEALTH, DEVELOPMENTAL DISABILITIES,  
3 AND SUBSTANCE ABUSE SERVICES FACILITIES AND TO MAKE OTHER  
4 CONFORMING AND STATUTORY CHANGES.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 122C-181(a) reads as rewritten:  
7 "§ 122C-181. Secretary's jurisdiction over State facilities.

8 (a) Except as provided in subsection (b) of this section, the Secretary shall  
9 operate the following facilities:

10 (1) ~~For the mentally ill;~~ Psychiatric Hospitals:

- 11 a. ~~Cherry Hospital;~~ Hospital.  
12 b. ~~Dorothea Dix Hospital;~~ Hospital.  
13 c. ~~John Umstead Hospital;~~ and Hospital.  
14 d. ~~Broughton Hospital;~~ and Hospital.

15 (2) ~~For the mentally retarded;~~ Developmental Centers:

- 16 a. ~~Caswell Center;~~ Developmental Center.  
17 b. ~~O'Berry Center;~~  
18 b1. J. Iverson Riddle Developmental Center.  
19 c. ~~Murdoch Center;~~ Developmental Center.  
20 d. ~~Western Carolina Center;~~ and  
21 e. ~~Black Mountain Center;~~ and

22 (3) ~~For substance abusers;~~ Alcohol and Drug Treatment Centers:

- 23 a. ~~Walter B. Jones Alcohol and Drug Abuse Treatment Center at~~  
24 ~~Greenville;~~ Center.  
25 b. ~~Alcohol and Drug Abuse Treatment Center at John Umstead~~  
26 ~~Hospital;~~ and  
27 c. ~~Julian F. Keith Alcohol and Drug Abuse Treatment Center;~~  
28 and Center.

- 1                   d.     R.J. Blackley Alcohol and Drug Treatment Center.  
 2           (4)   ~~As special care facilities:~~Neuro-Medical Treatment Centers:  
 3               a.     ~~North Carolina Special Care Center;~~  
 4               b.     ~~Whitaker School; and~~  
 5               e.     ~~Wright School.~~  
 6               d.     Black Mountain Neuro-Medical Treatment Center.  
 7               e.     O'Berry Neuro-Medical Treatment Center.  
 8               f.     Longleaf Neuro-Medical Treatment Center.  
 9           (5)   Residential Programs for Children:  
 10               a.     Whitaker School.  
 11               b.     Wright School."

12           **SECTION 2.** G.S. 122C-181(a)(1), as amended by Section 1 of this act,  
 13 reads as rewritten:

14           "(a) Except as provided in subsection (b) of this section, the Secretary shall  
 15 operate the following facilities:

- 16           (1) Psychiatric Hospitals:  
 17               a.     Cherry Hospital.  
 18               a1.    Central Regional Hospital.  
 19               b.     ~~Dorothea Dix Hospital.~~  
 20               e.     ~~John Umstead Hospital.~~  
 21               d.     Broughton Hospital."

22           **SECTION 3.** G.S. 122C-430.30 reads as rewritten:

23           "Part 2A. Broughton Hospital Joint Security Force.

24           "**§ 122C-430. Joint security force.**

25           The Secretary may designate one or more special police officers who shall make up  
 26 a joint security force to enforce the law of North Carolina and any ordinance or  
 27 regulation adopted pursuant to G.S. 143-116.6 or G.S. 143-116.7 or pursuant to the  
 28 authority granted the Department by any other law on the territory of the Broughton  
 29 Hospital, North Carolina School for the ~~Deaf, Deaf at Morganton (K-12),~~ Western  
 30 Regional Vocational Rehabilitation Facility, ~~Western Carolina Center, J. Iverson Riddle~~  
 31 Developmental Center, and the surrounding grounds and land adjacent to Broughton  
 32 Hospital allocated to the Department of Agriculture and Consumer Services, all in  
 33 Burke County. After taking the oath of office for law enforcement officers as set out in  
 34 G.S. 11-11, these special police officers have the same powers as peace officers now  
 35 vested in sheriffs within the territory embraced by the named facilities. These special  
 36 police officers may arrest persons outside the territory of the named institutions but  
 37 within the confines of Burke County when the person arrested has committed a criminal  
 38 offense within that territory for which the officers could have arrested the person within  
 39 that territory, and the arrest is made during the person's immediate and continuous flight  
 40 from that territory."

41           **SECTION 4.** G.S. 108A-101(m) reads as rewritten:

42           "(m) The word "neglect" refers to a disabled adult who is either living alone and  
 43 not able to provide for himself or herself the services which are necessary to maintain  
 44 his ~~the~~ person's mental or physical health or is not receiving services from his ~~the~~

1 person's caretaker. A person is not receiving services from his caretaker if, among other  
2 things and not by way of limitation, ~~he~~ the person is a resident of one of the  
3 ~~State-owned hospitals for the mentally ill,~~ State-owned psychiatric hospitals listed in  
4 ~~G.S. 122C-181(a)(1), centers for the mentally retarded or North Carolina Special Care~~  
5 ~~Center~~ the State-owned Developmental Centers listed in G.S. 122C-181(a)(2), or the  
6 ~~State-owned Neuro-Medical Treatment Centers listed in G.S. 122C-181(a)(3), ~~he~~ the~~  
7 ~~person is,~~ in the opinion of the professional staff of that ~~hospital or center,~~ State-owned  
8 ~~facility,~~ mentally incompetent to give ~~his~~ consent to medical treatment, ~~he~~ the person  
9 has no legal guardian appointed pursuant to Chapter 35A, or guardian as defined in  
10 G.S. 122C-3(15), and ~~he~~ the person needs medical treatment."

11 **SECTION 5.** Section 2 of this act becomes effective when the Dorothea Dix  
12 Hospital is closed and is no longer serving psychiatric patients. The remainder of this  
13 act is effective when it becomes law.