

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

**SESSION LAW 2007-177
HOUSE BILL 625**

AN ACT TO RENAME MENTAL HEALTH, DEVELOPMENTAL DISABILITIES,
AND SUBSTANCE ABUSE SERVICES FACILITIES AND TO MAKE OTHER
CONFORMING AND STATUTORY CHANGES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 122C-181(a) reads as rewritten:

"§ 122C-181. Secretary's jurisdiction over State facilities.

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

- (1) ~~For the mentally ill:~~Psychiatric Hospitals:
 - a. ~~Cherry Hospital;~~Hospital.
 - b. ~~Dorothea Dix Hospital;~~Hospital.
 - c. ~~John Umstead Hospital; and~~Hospital.
 - d. ~~Broughton Hospital; and~~Hospital.
- (2) ~~For the mentally retarded:~~Developmental Centers:
 - a. ~~Caswell Center;~~Developmental Center.
 - b. ~~O'Berry Center;~~
 - b1. J. Iverson Riddle Developmental Center.
 - c. ~~Murdoch Center;~~Developmental Center.
 - d. ~~Western Carolina Center; and~~
 - e. ~~Black Mountain Center; and~~
- (3) ~~For substance abusers:~~Alcohol and Drug Treatment Centers:
 - a. ~~Walter B. Jones Alcohol and Drug Abuse Treatment Center at Greenville;~~Center.
 - b. ~~Alcohol and Drug Abuse Treatment Center at John Umstead Hospital; and~~
 - c. ~~Julian F. Keith Alcohol and Drug Abuse Treatment Center; and~~Center.
 - d. R.J. Blackley Alcohol and Drug Treatment Center.
- (4) ~~As special care facilities:~~Neuro-Medical Treatment Centers:
 - a. ~~North Carolina Special Care Center;~~
 - b. ~~Whitaker School; and~~
 - e. ~~Wright School.~~
 - d. Black Mountain Neuro-Medical Treatment Center.
 - e. O'Berry Neuro-Medical Treatment Center.
 - f. Longleaf Neuro-Medical Treatment Center.
- (5) Residential Programs for Children:
 - a. Whitaker School.
 - b. Wright School."

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

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

- (1) Psychiatric Hospitals:
 - a. Cherry Hospital.

- a1. Central Regional Hospital.
- ~~b. Dorothea Dix Hospital.~~
- ~~c. John Umstead Hospital.~~
- d. Broughton Hospital."

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

"Part 2A. Broughton Hospital Joint Security Force.

"§ 122C-430. Joint security force.

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

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

"(m) The word "neglect" refers to a disabled adult who is either living alone and not able to provide for himself or herself the services which are necessary to maintain ~~his- the person's~~ mental or physical health or is not receiving services from ~~his- the person's~~ caretaker. A person is not receiving services from his caretaker if, among other things and not by way of limitation, ~~he- the person~~ is a resident of one of the ~~State-owned hospitals for the mentally ill, State-owned psychiatric hospitals listed in G.S. 122C-181(a)(1), centers for the mentally retarded or North Carolina Special Care Center~~ the State-owned Developmental Centers listed in G.S. 122C-181(a)(2), or the State-owned Neuro-Medical Treatment Centers listed in G.S. 122C-181(a)(3), ~~he- the person~~ is, in the opinion of the professional staff of that ~~hospital or center,~~ State-owned facility, mentally incompetent to give ~~his- consent~~ to medical treatment, ~~he- the person~~ has no legal guardian appointed pursuant to Chapter 35A, or guardian as defined in G.S. 122C-3(15), and ~~he- the person~~ needs medical treatment."

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

In the General Assembly read three times and ratified this the 27th day of June, 2007.

s/ Beverly E. Perdue
President of the Senate

s/ Joe Hackney
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 8:00 a.m. this 5th day of July, 2007