

§ 122C-115.3. Dissolution of area authority.

- (a) Repealed by Session Laws 2013-85, s. 5(a), effective June 12, 2013.
- (b) No county shall withdraw from an area authority nor shall an area authority be dissolved without prior approval of the Secretary.
- (b1) Repealed by Session Laws 2022-74, s. 9D.13(g), effective July 1, 2022.
- (c), (d) Repealed by Session Laws 2013-85, s. 5(a), effective June 12, 2013.
- (e) Any fund balance or risk reserve available to an area authority at the time of its dissolution that is not utilized to pay liabilities shall be transferred to one or more area authorities contracted to operate the 1915(b)/(c) Medicaid Waiver or a BH IDD tailored plan in all or a portion of the catchment area of the dissolved area authority, as directed by the Department.
- (e1) Effective until the date that BH IDD tailored plans begin operating, if the fund balance transferred from the dissolved area authority under subsection (e) of this section is insufficient to constitute fifteen percent (15%) of the anticipated operational expenses arising from assumption of responsibilities from the dissolved area authority, the Secretary shall guarantee the operational reserves for the area authority assuming the responsibilities under the 1915(b)/(c) Medicaid Waiver until the assuming area authority has reestablished fifteen percent (15%) operational reserves.
- (f), (g) Repealed by Session Laws 2013-85, s. 5(a), effective June 12, 2013.
- (h) Effective until December 1, 2023, upon the termination of a BH IDD tailored plan contract with an area authority, the Secretary shall direct the dissolution of that area authority. The Secretary shall deliver a notice of dissolution to the board of county commissioners of each of the counties in the dissolved area authority. (2001-437, s. 1.9; 2011-102, s. 5; 2011-264, s. 3; 2013-85, s. 5(a)-(c); 2021-62, s. 3.5(a)-(c); 2022-74, s. 9D.13(g).)