

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

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HOUSE BILL 625\*  
Committee Substitute Favorable 5/21/07

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

Sponsors:

Referred to:

March 14, 2007

A BILL TO BE ENTITLED

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;~~ andHospital.

(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;~~ andCenter.
- d. R.J. Blackley Alcohol and Drug Treatment Center.

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

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

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

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

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

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

23           "**§ 122C-430. Joint security force.**

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

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

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

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

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