

COVID-19

See full summary documents for additional detail

H82 - Summer Learning Choice for NC Families. (SL 2021-7)

S.L. 2021-7 (HB 82) required each local school administrative unit (LEA) to offer a school extension learning recovery and enrichment program (Program) at the end of the 2020-2021 school year. Within available funds, residential schools were also required to offer a Program to students. The Program's purpose was to provide in-person instruction on specific subjects and offer additional enrichment activities to students in kindergarten through grade 12 to address learning losses due to COVID-19 during the 2020-2021 school year. Students at risk for academic failure who were not progressing toward grade promotion and graduation were identified and prioritized for participation in the Program.

LEAs were required and charter schools were encouraged to submit plans for the Program to the Department of Public Instruction (DPI). The plans were required to meet certain components, including a minimum of 150 hours or 30 days of instruction, as well as meal service and physical activities on each instructional day. The plans were also required to include certain instruction based on the grade level served and provide access to enrichment activities for grades K-8 and elective courses for grades 9-12. Transportation, in-person learning, and social-emotional learning supports for all students were also required as part of the Program.

Participation in the Program by students was voluntary. Kindergarten students who participated in the Program were exempt from retention. For all other students at-risk of grade retention, the student's principal was required to reassess the student's promotion eligibility upon completion of the Program.

Teachers and other school personnel were employed temporarily on a contract basis for the Program. Certain retired teachers were also eligible for employment without violating separation of service requirements. LEAs were encouraged to incentivize highly effective teachers through various means and were required to offer both signing bonuses to teachers meeting certain criteria and performance bonuses for third-grade teachers whose students became proficient in reading during the Program.

The State Board of Education provided competency-based assessments for students in grades K-8 to LEAs for use at the beginning and end of the Program, with the assessment results provided to the student's teacher for the 2021-2022 school year.

LEAs were required to report to DPI by October 15, 2021, on the results of the competency-based assessments, as well as the number of students who progressed or were retained in the same grade, and the number of students who received credit recovery in high school. DPI was required to report by January 15, 2022, to the Joint Legislative Education Oversight Committee on implementation of the Program and related reported information, including copies of the Program plans.

This act became effective April 9, 2021.

H110 - Landlord Submission of HOPE Application. (SL 2021-190)

S.L. 2021-190 does the following:

- Adds a new subsection to Session Law 2021-25 permitting a landlord to submit an application on behalf of a tenant under the Housing Opportunities and Prevention of Evictions Program (HOPE), provided that the application meets all the federal program requirements.
- Modifies Session Law 2021-25, Section 3.4(j) to clarify the specific uses of funds by the North Carolina Office of Recovery and Resiliency (NCORR).
- Modifies Session Law 2021-25, Section 3.4(g) to clarify that reasonable fees and actual utility costs are included in the amount awarded to recipients renting housing.

This act became effective December 9, 2021.

H196 - 2021 COVID-19 Response & Relief. (SL 2021-3)

S.L. 2021-3 (i) makes modifications to the State COVID-19 relief legislation and (ii) appropriates and provides additional guidance for expenditure of COVID-19 pandemic relief funds from the federal Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA).

Except as otherwise provided, this act became effective, March 11, 2021.

H279 - COVID-19 Related Tax Changes/Unemployment Insurance Technical Correction. (SL 2021-16)

S.L. 2021-16 does the following:

- Clarifies that the extra credit grants and federal stimulus payments received as COVID-19 relief are not considered income for determining eligibility for property tax exemptions based on income.
- Provides for the nonaccrual of interest on 2020 individual income tax returns filed on or before May 17, 2021 and extends the statute of limitations for requesting a refund consistent with the extension provided by the Internal Revenue Service (IRS).
- Makes a technical correction to S.L. 2021-5, DES COVID Modifications and Technical Changes.

S.L. 2021-16 became effective April 27, 2021.

H602 - UNC Legislative Priorities/HR/Reports. (SL 2021-80)

S.L. 2021-80 does the following:

- Exempts finance, business office, and auditor professionals of The University of North Carolina (UNC) from most provisions of the North Carolina Human Resources Act (NCHRA).
- Consolidates and eliminates certain reports.
- Codifies reporting requirements for capital projects.
- Gives the Board of Governors of UNC temporary authority to implement an early retirement incentive program.
- Provides statutory authority for the President of UNC to approve a reduction in force without approval of any other State agency.

- Provides temporary authority for the Board of Governors of UNC to use non-State funds to provide State Health Plan premium payments for certain employees placed on emergency temporary furloughs.

S36 - 2020 COVID Relief Bill Modifications. (SL 2021-1)

Session Law (S.L.) 2021-1 makes modifications to the State COVID-19 relief legislation in light of the additional federal legislation and guidance.

This act has various effective dates. Except as otherwise provided, this act became effective February 10, 2021.

S37 - In-Person Learning Choice for Families. (Ratified)

Senate Bill 37 would have required all local school administrative units to offer in-person instruction to students in grades kindergarten through 12 for the remainder of the 2020-2021 school year.

Senate Bill 37 was ratified by the General Assembly on February 17, 2021, and vetoed by the Governor on February 26, 2021.

S105 - 2021 Appropriations Act.

Sec. 7.23: Average Daily Membership/Hold Harmless. (SL 2021-180)

OVERVIEW AND ANALYSIS: Section 7.23 of S.L. 2021-180 directs the State Board of Education (SBE), when making funding adjustments for the 2021-2022 fiscal year, to not reduce allocations to applicable public school units due to a discrepancy between their actual and anticipated average daily membership. Once the SBE makes the funding adjustments, it cannot reduce allotments for local school administrative units due to a discrepancy between actual and anticipated average daily membership. By January 15, 2022, the Department of Public Instruction must calculate and report to the Joint Legislative Education Oversight Committee and various other entities the amounts that each funding allotment would have been reduced in the absence of hold harmless clauses in this section and Section 3.1 of S.L. 2020-97 for each applicable public school unit under the formula adopted by the SBE in accordance with Section 7.15(b) of S.L. 2007-323. The report must be based on data from the 2020-2021 and 2021-2022 fiscal years and must disaggregate the information on the basis of applicable public school unit, fiscal year, and allotment.

EFFECTIVE DATE: This section became effective July 1, 2021.

S105 - 2021 Appropriations Act.

Sec. 7.70: Student Transportation Support. (SL 2021-180)

Section 7.70 of S.L. 2021-180, as amended by section 2.7 of S.L. 2022-6, directs the Department of Public Instruction (DPI) to establish the 2021 Smart School Bus Safety Pilot Program (Program) beginning with

the 2021-2022 school year and ending on or before January 1, 2025. The Program is designed to improve the transportation of public school students through technology in response to the COVID-19 pandemic.

Participation – The following local school administrative units (LEAs) and charter schools are authorized to participate in the Program:

- Burke County Schools.
- Caldwell County Schools.
- Chatham County Schools.
- Clinton City Schools.
- Elizabeth City-Pasquotank Public Schools.
- Elkin City Schools.
- Gaston County Schools.
- Harnett County Schools.
- Hickory City Schools.
- Iredell-Statesville Schools.
- Johnston County Schools.
- Martin County Schools.
- New Hanover County Schools.
- Sampson County Schools.
- Surry County Schools.
- Transylvania County Schools.
- Union County Public Schools.
- Watauga County Schools.
- Wayne County Public Schools.
- Winston-Salem/Forsyth County Schools.
- Alpha Academy.
- Sallie B Howard School.
- Sugar Creek Charter.
- Thomas Jefferson Classical.

Option to leave – Any authorized LEA or charter school can elect to not participate in the Program. For each LEA or charter school that elects not to participate, DPI can authorize a replacement LEA or charter school with a similar population to participate in the Program.

Minimum Technology and Services – LEAs must identify and contract with qualifying vendors to provide technology and services for school buses. LEAs have discretion over the specific technology and services provided by qualifying vendors as long as the technology and services either improve communications and information or provide students on school buses with access to the internet over Wi-Fi.

Technology and services that improve communication and information must meet the following minimum requirements:

- Improve overall communications and reporting on school buses.
- Enable employee time tracking, student ridership tracking, and contact tracing in the event of a COVID-19 infection.
- Enable global positioning system (GPS) tracking of school buses.
- Enable turn-by-turn navigation along bus routes.
- Optimize time, expenditure, and safety of bus routes.
- Provide pre- and post-trip vehicle inspections that can be transmitted to DPI on a regular basis.
- Communicate ridership information to the student information management system.
- Permit parents or legal guardians to access applicable information.

- Conform to applicable guidance provided by the North Carolina Department of Health and Human Services (DHHS) for the transportation of students during the COVID-19 pandemic.
- Facilitate the receipt of Medicaid reimbursement for eligible student transportation services.

Technology and services that provide students with Wi-Fi on school buses must provide options for LEAs and charter schools to customize connectivity and must comply with all State and federal law.

Miscellaneous Requirements – The following requirements apply to each participating LEA and charter school:

- Every school bus designed for the transportation of children with disabilities must be outfitted with technology provided pursuant to the Program as long as the technology is appropriate for children with disabilities and can be provided in a cost-effective manner.
- At the conclusion of the Program, all hardware provided to an LEA or charter school becomes the property of that LEA or charter school.
- Participating LEAs and charter schools must make use of technology or services provided pursuant to the Program at least through the conclusion of the 2023-2024 school year.

Reports – By July 1, 2022, of each year the Program is in effect, DPI, in consultation with each participating LEA and charter school, must report at least all the following information to Joint Legislative Education Oversight Committee (JLEOC), any committee constituted by the House of Representatives or Senate to address school safety, and the Fiscal Research Division:

- An itemized breakdown of software infrastructure, hardware infrastructure, and equipment provided by qualifying vendors to participating LEAs and charter schools pursuant to the Program.
- A description of all services provided by qualifying vendors to participating LEAs and charter schools pursuant to the Program.
- A list of qualifying vendors contracting with participating LEAs and charter schools pursuant to the Program.
- The impact and effectiveness of the Program.
- All expenditures of State funds pursuant to the Program.

Medicaid Coverage – By May 1, 2022, the Department of Health and Human Services, Division of Health Benefits, and DPI must jointly submit a report to the Joint Legislative Oversight Committee on Medicaid and NC Health Choice and JLEOC with a proposal for adding the Medicaid coverage for school-based transportation services described in the November 1, 2016, report to the Joint Legislative Oversight Committee on Medicaid and NC Health Choice entitled "Medicaid Coverage for School-Based Health Services" to the fullest extent allowed by federal Medicaid law and regulations. The proposal must include all of the following:

- A detailed description of the coverage to be added.
- A detailed description of the required documentation for reimbursement.
- An updated analysis of the fiscal impact both to DHHS and to all public school units of adding the coverage.
- The identification of any State appropriations needed to implement the coverage.
- A recommended time frame for implementing the coverage.
- Proposed language for any legislative changes needed to implement the coverage.

The Program became effective July 1, 2021, and the remainder of the section became effective November 18, 2021.

S105 - 2021 Appropriations Act.

Sec. 8.24: Kitty Hawk Public-Private Partnership Project for Digital Learning and Career Development in Response to the COVID-19 Pandemic. (SL 2021-180)

Section 8.24 of S.L. 2021-180 establishes Project Kitty Hawk as a public-private partnership to support digital learning and career development programs offered by constituent institutions of The University of North Carolina (UNC).

Governance Structure – Project Kitty Hawk must be conducted by a nonprofit corporation which must include in its corporate bylaws that the organization will be governed by a board of directors consisting of nine voting members, as follows:

- The President of The University of North Carolina
- The Chair of the Board of Governors of The University of North Carolina (BOG).
- Seven members appointed by the BOG, in consultation with the President of The University of North Carolina, as follows:
 - Three members who are chancellors or chief academic officers of constituent institutions of The University of North Carolina.
 - Four members who have experience in business management, higher education, or both.

Reporting – Beginning March 1, 2022, and annually thereafter:

- The nonprofit corporation board of directors must report to the General Assembly on its activities, corporate performance, and any other relevant matters pertaining to its corporate mission.
- The University of North Carolina System Office must report to the Joint Legislative Education Oversight Committee and various other entities regarding Project Kitty Hawk and the progress made toward reaching the State digital learning attainment goals. The report must include information on the development and implementation of online degree programs in collaboration with constituent institutions, including the following:
 - Participation by constituent institutions.
 - Student demographics for course enrollment.
 - Tuition receipts and fees for online courses.
 - Completion of student degree programs through digital courses by institution.

Other Funding Provisions – Digital learning student credit hours provided with the support of Project Kitty Hawk will not be included in enrollment change funding requests. Monies received as tuition for digital learning programs provided with the support of Project Kitty Hawk are considered "trust funds" for the purposes of the regulation of institutional trust funds under G.S. 116-36.1.

This section became effective July 1, 2021.

S105 - 2021 Appropriations Act.

Sec. 9A.4: Rapid Rehousing for Individuals and Families at Risk of Homelessness . (SL 2021-180)

Section 9A.4 of S.L. 2021-180 allocates \$15 million in nonrecurring funds for the 2021-2022 fiscal year to the Division of Aging and Adult Services, Department of Health and Human Services, for rapid rehousing

services to assist families and individuals at risk of homelessness due to the COVID-19 pandemic. The funds must supplement existing funding for homelessness prevention services and may be used to cover the cost of acute financial assistance needs for eligible families and individuals.

This section became effective July 1, 2021.

S105 - 2021 Appropriations Act.

Sec. 9A.5: Nutrition Services for Older Adults. (SL 2021-180)

Section 9A.5 of S.L. 2021-180 provides \$3,585,000 in nonrecurring funds for the 2021-22 fiscal year from the State Fiscal Recovery Fund to the Division of Aging and Adult Services, Department of Health and Human Services, to be used to address food insecurity among older adults due to the COVID-19 pandemic.

Allowable activities include:

- Providing two meals per week or \$20 per week in groceries to eligible older adults who are frail or functionally impaired.
- Providing two weeks of meals to eligible high-risk older adults after a hospital discharge.
- Expanding the North Carolina Senior Farmers' Market Nutrition Program across the State to eligible low-income older adults.

This section became effective July 1, 2021.

S105 - 2021 Appropriations Act.

Sec. 9B.8: Funds for the Statewide Telepsychiatry Program. (SL 2021-180)

Section 9B.8 of S.L. 2021-180 provides that of funds appropriated from the State Fiscal Recovery Fund to the Office of Rural Health, Division of Central Management and Support, Department of Health and Human Services, \$1.5 million in nonrecurring funds for the 2021-2022 fiscal year must be allocated as a grant to the East Carolina University Center for Telepsychiatry and e-Behavioral Health for the statewide telepsychiatry program, known as NC-Step. The grant funds must be used to respond to COVID-19 public health emergency by providing virtual psychiatric assessments and consultations to patients utilizing telepsychiatry (as defined in G.S. 143B-139.4B).

The ECU Center for Telepsychiatry and e-Behavioral Health must report to the Joint Legislative Oversight Committee on Health and Human Services and the Fiscal Research Division on the use of grant funds by July 1, 2022

This section became effective July 1, 2021.

S105 - 2021 Appropriations Act.

Sec. 9B.8A: Virtual Behavioral Health Services Grant Program. (SL 2021-180)

Section 9B.8A.(a) of S.L. 2021-180 directs \$10,000,000 in nonrecurring funds for the 2021-2022 fiscal year of the funds appropriated in the 2021 Appropriations Act from the State Fiscal Recovery Fund to the

Office of Rural Health, Division of Central Management and Support, Department of Health and Human Services (DHHS), to award competitive grants to hospitals to fund expanded telepsychiatry capabilities to respond to the COVID-19 public health emergency. The expanded telepsychiatry capabilities must facilitate patient access to hospital-based virtual telepsychiatry services from a primary care provider's office, from home, or from another nonhospital setting. The Office of Rural Health must establish the procedures and criteria for awarding the grants, subject to certain limitations.

Section 9B.8A.(b) of S.L. 2021-180 requires DHHS to announce the recipients of the competitive grants and to report to the Joint Legislative Oversight Committee on Health and Human Services with the amount awarded to each grantee, the anticipated number of persons to be served, and the geographic area to be served as a result of expanded telepsychiatry services by May 1, 2022.

This section became effective July 1, 2021.

S105 - 2021 Appropriations Act.

Sec. 9B.8B: School-Based Virtual Care Pilot Program to Address Health Disparities in Historically Underserved Areas Disproportionately Impacted By The COVID-19 Public Health Emergency. (SL 2021-180)

Section 9B.8B of S.L. 2021-180 requires that of the funds appropriated from the State Fiscal Recovery Fund to the Office of Rural Health, Division of Central Management and Support, Department of Health and Human Services (DHHS), \$1 million in the 2021-2022 fiscal year must be allocated as a directed grant to Atrium Health, Inc., a nonprofit corporation, to support the development and implementation of a school-based virtual care pilot program to address health disparities in historically underserved areas disproportionately impacted by the COVID-19 public health emergency. The pilot program must utilize telehealth to facilitate access to health care services and resources that improve health outcomes through the care coordination efforts of local providers. The funds must be allocated equally among 10 pilot program sites located in four elementary schools in Anson County and six elementary schools in Forsyth County where at least 90% of the students are eligible for free or reduced lunch.

This section became effective July 1, 2021.

S105 - 2021 Appropriations Act.

Sec. 9C.9: Grants for Child Care Facilities and NC Pre-K Classrooms/ARPA Funds . (SL 2021-180)

Section 9C.9 of S.L. 2021-180 allocates \$20 million in nonrecurring funds to the Division of Child Development and Early Education, Department of Health and Human Services, to provide grants for child care facilities and NC Pre-K classrooms in response to the COVID-19 pandemic. The grants are one-time awards to assist with start-up costs associated with establishing a new NC Pre-K classroom or child care facility, quality improvements for existing NC Pre-K classrooms or child care facilities that increase the classroom or facility's capacity or upgrade its star rating, and capital improvements or renovations.

This section became effective July 1, 2021.

S105 - 2021 Appropriations Act.

Sec. 9F.1: Use of Opioid Settlement Funds . (SL 2021-180)

Section 9F.1.(a) of S.L. 2021-180 establishes the Opioid Abatement Reserve (Reserve) in the General Fund to maintain funds received by the State as a beneficiary of the final consent judgment resolving the case, State of North Carolina, ex rel. Joshua H. Stein, Plaintiff v. McKinsey and Company, Inc., and any other funds received by the State resulting from a settlement related to claims regarding opioids. Section 9F.1.(a) of S.L. 2021-180 directs funds in the Reserve must (i) cover the costs incurred by the State in investigating and pursuing these claims and (ii) abate and remediate the harms caused to North Carolina and its citizens by the opioid epidemic. This section also establishes the Opioid Abatement Fund (Fund) within the Department of Health and Human Services consisting of all interest and investment earnings received on monies in the Fund. It directs the transfer of \$15,735,496 for the 2021-2022 fiscal year and \$812,250 for the 2022-2023 fiscal year from the Reserve to the Fund.

Section 9F.1.(b) of S.L. 2021-180 directs how the funds in Section 9F.1.(a) must be used to respond the negative impacts of the opioid epidemic within the State as follows:

- To expand employment and transportation supports through innovative pilot programs in industries in the State that suffered the greatest job losses during the COVID-19 pandemic and are most relied upon by individuals recovering from opioid use disorders to reenter the workforce, such as the food service industry, the hotel and lodging industry, and the entertainment industry.
- To support individuals with opioid use disorder who are involved in the criminal justice system through programs and initiatives designed to establish or expand the following: existing prearrest and postarrest diversion programs, medication-assisted treatment programs, and reentry programs to connect individuals exiting incarceration with harm reduction, treatment, and recovery supports.
- To expand evidence-based treatment supports and to improve connections to care, especially for individuals hospitalized for overdose who are uninsured or underinsured, through evidence-based addiction treatment, expanded access to cost-effective, low-cost, or no-cost medication-assisted treatment in community-based settings, and expanded care management services.
- To develop evidence-based supportive housing services, such as Housing First, that are inclusive of individuals with substance use disorders. Funding may be provided for the following: (i) a move-in deposit, rental, or utility assistance; (ii) community training sessions on tenancy rights and responsibilities; (iii) establishing relationships with landlords; (iv) providing other housing-related supports such as tents, sleeping bags, or other supplies for outdoor living; and (v) funding or otherwise supporting recovery supported housing that accepts individuals who are utilizing any medication approved for the treatment of opioid use disorder.

This section became effective July 1, 2021.

S105 - 2021 Appropriations Act.

Sec. 9F.13: Temporary Additional Funding Assistance for Intermediate Care Facilities for Individuals with Intellectual Disabilities . (SL 2021-180)

Section 9F.13 of S.L. 2021-180 appropriates funds from the State Fiscal Recovery Fund to be used for a one-time payment to each local management entity/managed care organization for the purpose of providing temporary additional COVID-related funding assistance for intermediate care facilities for individuals with intellectual disabilities (ICF/IID) services on a per diem basis.

This section became effective July 1, 2021.

S105 - 2021 Appropriations Act.

Sec. 9G.11: Funds to Expand Local Communicable Disease Programs to Address the Impacts of the COVID-19 Public Health Emergency. (SL 2021-180)

Section 9G.11 of S.L. 2021-180 provides that of the funds appropriated from the State Fiscal Recovery Fund to the Division of Public Health (DPH), Department of Health and Human Services (DHHS), \$36 million in nonrecurring funds for the 2021-2022 fiscal year must be allocated to local health departments to expand communicable disease surveillance, detection, control, and prevention activities to address the COVID-19 public health emergency and other communicable disease challenges impacted by the COVID-19 public health emergency.

DPH must expend up to \$18 million of the allocated funds during the 2021-2022 fiscal year and any remaining funds during the 2022-2023 fiscal year.

- In the distribution of these funds to local health departments, for each year of the 2021-2023 fiscal biennium, DPH must divide \$9 million equally among the local health departments based on the number of counties served by each local health department.
- DPH must distribute the remaining \$9 million to local health departments based upon the percentage of the State population served by each of the local health departments.
- DPH is required to begin distributing the funds no later than 60 days after the act becomes law.
- In utilizing these funds, local health departments must comply with applicable federal rules and guidance governing the State Fiscal Recovery Fund.

By February 1, 2022, DPH must report to the Joint Legislative Oversight Committee on Health and Human Services on the funding appropriated by this section and the report must include the following elements:

- The amount of funding that each county received for surveillance, detection, control, and prevention of communicable diseases.
- An explanation if the sum of the funding received by all counties under this section is not equivalent to the total funds appropriated each year.
- Information on how the local health departments plan to use and subsequently did use these funds to address surveillance, detection, control, and prevention of communicable diseases.
- Consistent with the supplement and not supplant intent of this section, the report must delineate funds other than those distributed in accordance with this section that were received by each county to address surveillance, detection, control, and prevention of communicable diseases.
- Additional information as can be requested by the Joint Legislative Oversight Committee on Health and Human Services.

This section became effective July 1, 2021.

S105 - 2021 Appropriations Act.

Sec. 9G.13: Reservation of CDC Cooperative Agreement for Emergency Response/Public Health Crisis Response/COVID-19 Public Health Workforce Supplemental Funding

Received Pursuant to the American Rescue Plan Act for School-Based Health Services Personnel. (SL 2021-180)

Section 9G.13 of S.L. 2021-180 provides that of the funds appropriated to the Division of Public Health, Department of Health and Human Services, from the Centers for Disease Control and Prevention Cooperative Agreement for Emergency Response: Public Health Crisis Response, COVID-19 Public Health Workforce Supplemental Funding received pursuant to ARPA, at least 25% of the funds must be reserved in accordance with federal guidance to provide funding for school-based health services personnel in response to the COVID-19 pandemic.

For purposes of the section, school-based health services personnel include school nurses, school psychologists, school counselors, and school social workers. These funds must be used to supplement and not supplant other State, local, or federal funds appropriated or allocated for this purpose.

This section became effective July 1, 2021.

S105 - 2021 Appropriations Act.

Sec. 9I.1: Temporary Financial Assistance for Facilities Licensed to Accept State-County Special Assistance. (SL 2021-180)

Section 9I.1 of S.L. 2021-180 provides \$48 million in nonrecurring funds for the 2021-2022 fiscal year from the State Fiscal Recovery Fund to the Division of Social Services, Department of Health and Human Services, to be allocated for facilities licensed to accept State-County Special Assistance. The Division of Social Services must expend up to \$24 million of these allocated funds during the 2021-2022 fiscal year, and any remaining funds during the 2022-2023 fiscal year, to provide temporary financial assistance in the form of a monthly payment to facilities to offset the increased costs of serving residents who are recipients of State-County Special Assistance during the public health emergency.

Between July 1, 2021, and the depletion of funds or the date federal law requires funds to be expended, whichever is earlier, the monthly payment authorized is \$125 per month for each facility resident who is a recipient of State-County Special Assistance. Monthly payments must not be made for residents whose eligibility determination is pending.

This section became effective July 1, 2021.

S105 - 2021 Appropriations Act.

Sec. 9I.18: Funds for Temporary Assistance for Needy Families - Work First Families . (SL 2021-180)

Section 9I.18 of S.L. 2021-180 allocates a portion of funding from the Pandemic Emergency Assistance Fund to the Division of Social Services (DSS), Department of Health and Human Services, to ease the negative impacts of the COVID-19 public health emergency for families enrolled in the Temporary Assistance for Needy Families (TANF)/Work First Cash Assistance program with at least one child under 18 years of age. This section directs DSS to distribute payments via electronic benefit transfer (EBT) to families as follows:

- A first payment of \$500 per child in the fall/winter of 2021-2022.

- A second payment of \$500 per child, based on available funding, in the summer of 2022.

This section became effective July 1, 2022.

S105 - 2021 Appropriations Act.

Part 42: Finance. (SL 2021-180)

Part 42 of S.L. 2021-180 (2021 Appropriations Act) makes the following tax changes:

- Personal Income Tax Changes

S114 - DES COVID Modifications and Technical Changes. (SL 2021-5)

S.L. 2021-5 makes the following changes to the unemployment insurance (UI) system:

- Allows "back-to-back" extended benefit periods for UI claims in 2021.
- Prevents the base UI rate from automatically adjusting higher for UI tax due from employers in 2021.
- Makes technical changes requested by the NC Department of Commerce's Division of Employment Security (DES)

The Act became effective March 30, 2021. However, many sections have different implementation periods as discussed in the Bill Analysis section.

S116 - Putting North Carolina Back to Work Act. (Ratified)

Senate Bill 116 would:

- Withdraw from the Federal Pandemic Unemployment Compensation program (FPUC) and the Mixed Earners Unemployment Compensation program (MEUC) that provide additional federal benefits to unemployment insurance claimants.
- If FPUC and MEUC programs end before August 14, 2021, appropriate \$250 million to the Department of Health and Human Services, Division of Child Development and Early Education, to subsidize child care for eligible children.
- Require claimants seeking unemployment insurance benefits to respond to employer interview requests:
 - Claimants must respond to interview requests by an employer offering suitable work within 48 hours using the contact information provided by the employer.
 - Claimants must schedule an interview with an employer within seven days of the interview request.

Senate Bill 116 was ratified by the General Assembly on June 24, 2021, and vetoed by the Governor on July 2, 2021.

S173 - Free the Smiles Act. (Ratified)

SB 173 would have done the following:

- Allow parents to opt their children out of face covering requirements in public school units.
- Prohibit children not wearing face coverings from being treated differently than children wearing face coverings.
- Limit the liability for public school units when allowing parental opt-out of face covering requirements, unless the act or omission amounts to gross negligence, willful or wanton conduct, or intentional wrongdoing.
- Repeal the requirement for monthly votes on face covering policies in public school units for the current school year.

SB 173 was ratified by the General Assembly on February 17, 2022, and was vetoed by the Governor on February 24, 2022.

S594 - Medicaid Admin. Changes & Tech. Corrections. (SL 2021-62)

S.L. 2021-62 makes various technical and other changes to laws related to the NC Medicaid program and local management entities/managed care organizations (LME/MCOs) as follows:

- Part I makes modifications to two Medicaid-related provisions of the 2020 COVID-19 Recovery Act, S.L. 2020-4.
- Part II makes modifications to the existing Medicaid beneficiary appeals statutes in Chapters 108A and 108D of the General Statutes to allow certain appeals to be filed by telephone and to provide an expedited hearing option for certain appeals.
- Part III makes various changes to laws related to the Medicaid program, including (i) allowing additional days of therapeutic leave from an intermediate care facility, (ii) specifying changes to the coverage of behavioral health services in the managed care environment, (iii) specifying procedures related to the dissolution of LME/MCOs and the transfer of assets by LME/MCOs, and (iv) establishing a fixed reimbursement rate for durable medical equipment for the first five years of standard benefit plan contracts.
- Part IV makes various technical corrections to laws related to the Medicaid program.

This act has various effective dates. See full summary for details.

S654 - K-12 COVID-19 Provisions. (SL 2021-130)

S.L. 2021-130 makes changes to address the impact of COVID-19 in public schools and directs the use of Elementary and Secondary School Emergency Relief Fund reserve funds. The changes include waiving of certain reporting requirements, school calendars, and virtual education issues. Except as otherwise provided, this act became effective August 30, 2021.