

§ 108A-15.20. (Effective January 1, 2025) Citizen review panels.

(a) The Department of Health and Human Services, Division of Social Services, shall ensure the existence of, at a minimum, three citizen review panels (panels) pursuant to requirements set forth in the federal Child Abuse Prevention and Treatment Act (CAPTA), under sections 106(b)(2)(A)(x) and (c) of 42 U.S.C. § 5101 et seq., as amended. The panels shall be operated and managed by a qualified organization that is independent from any State or county department of social services. The Division of Social Services shall assist any organization managing a panel with providing information, reports, and support the panel needs in carrying out its duties pursuant to this section.

(b) Panels shall consist of volunteer members who broadly represent the community in which the panel is established, including members who have expertise in the prevention and treatment of child abuse and neglect, and may include adult former victims of child abuse or neglect.

(c) Each panel shall evaluate the extent to which the State is fulfilling its child protection responsibilities in accordance with the Child Abuse Prevention and Treatment Act State Plan by examining the policies, procedures, and practices of State and local child protection agencies, and, when appropriate, reviewing specific cases. A panel may examine any other criteria the panel considers important to ensure the protection of children, including, but not limited to, any of the following:

- (1) The extent to which the State and local child protective services system is coordinated with the Title IV-E foster care and adoption assistance programs of the Social Security Act.
- (2) A review of child fatalities.
- (3) A review of near fatalities in this State. For purposes of this subdivision, a "near fatality" is an act that, as certified by a physician, places the child in serious or critical condition.

(d) A panel choosing to examine child fatalities may utilize information and reports about reviews of child fatalities that take place pursuant to Article 14 of Chapter 7B of the General Statutes. The State Office of Child Fatality Prevention or Local Teams, as both are described under G.S. 143B-150.25, acting under that Article shall provide to the panel aggregate information about child death reviews or information about individual case reviews, as requested by the panel. A panel choosing to examine specific child protective services cases may do so based on a request for review of a case from a director of a county department of social services or as deemed necessary by the panel in carrying out its duties.

(e) Panels shall have access to information maintained by any State or local government entity where the panel has a need for the information to carry out its functions pursuant to this section. Panel members shall not disclose to any person or government official any identifying information about any specific child protection case in which the panel is provided information and shall not make public other information unless otherwise authorized by law.

(f) Panels shall provide for public outreach and comment to assess the impact of current procedures and practices on children and families.

(g) Panels shall prepare and make available to the State and the public an annual report containing a summary of the activities of the panels and recommendations to improve the child protection services system at the State and local levels. The report shall not contain any identifying information about any specific child protection case. No later than six months after the date the panels submit the report, the Division of Social Services shall submit a written response to State and local child protection systems and the citizen review panels that describes whether or how the State will incorporate the recommendations of the panels, when appropriate, to make measurable progress in improving the State and local child protection system. (2023-134, s. 9H.15(j).)