

STATE OF NORTH CAROLINA
DEPARTMENT OF HEALTH AND HUMAN SERVICES

ROY COOPER
GOVERNOR

KODY H. KINSLEY
SECRETARY

SECRETARIAL DIRECTIVE 001

DATE: 06/19/23 | 2:26 PM EDT

SUBJECT: Department Organization, Signature Authority and Delegation of Authority.

1. **SCOPE**. This Directive applies to all divisions, offices, facilities and units within the North Carolina Department of the Health and Human Services. The provisions of this Directive shall not be construed to interfere with or impede the authorities or duties prescribed by law to specific divisions, offices, facilities or units, or individuals within those units.
2. **ORGANIZATION**. By virtue of the authority vested in the Secretary, pursuant to N.C. G. S. § 143B-10(a), it is ordered that:

The Chief Deputy Secretary shall carry out the duties and powers of the Secretary when the Secretary is absent or unable to serve, or when the office of the Secretary is vacant.

- a. The Chief Deputy Secretary shall report directly to the Secretary. In consultation with the Secretary, is authorized, in that official's own capacity and that official's own title, to perform any functions the Secretary is authorized to perform and shall be responsible for referring to the Secretary any matter on which action would appropriately be taken by the Secretary. These functions include, but are not limited to:
 - i. Authority to serve as the Secretary's designee in reviewing DHHS Attorney/Hearing Officer reports of Personnel Grievance Hearings and in rendering and signing final department decisions thereon.
 - ii. Authority and be responsible for the adoption, management, and periodic review of records retention schedules for departmental and related agencies, including the preparation and execution of responses to correspondence regarding records retention schedules.
 - iii. Authority to adopt rules in accordance with Chapter 150B of the North Carolina General Statutes, in coordination with relevant Divisions of the Department and the Department's Rule-making Coordinator. The Chief Deputy may recognize previous delegations of rulemaking authority to Division Directors or may specifically delegate this authority to adopt rules as deemed necessary and appropriate.
- b. The following shall report directly to the Secretary:
 - i. Deputy Secretary for Health
 - ii. Deputy Secretary for Operational Excellence

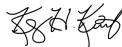
- iii. Deputy Secretary for Medicaid
- iv. Deputy Secretary for Health Equity/Chief Health Equity Officer
- v. Deputy Secretary for Opportunity and Well-being
- c. The Chief of Staff shall report directly to the Secretary.
 - i. The General Counsel shall report to the Secretary, through the Chief of Staff.
 - ii. The following officials shall report to the Chief of Staff:
 - 1. Assistant Secretary of Government Affairs
 - 2. Assistant Secretary, Office of Policy
 - 3. Senior Director, Office of Communications
- d. The State Health Director shall report directly to the Secretary and shall exercise, in that official's own capacity and that official's own title, all authority as prescribed by law.
- e. The following officials shall report through the Chief Deputy Secretary to the Secretary and shall exercise supervision over those officials within their respective organizations:
 - i. Director, Division of Health Service Regulation
 - ii. Director, Division of Mental Health, Developmental Disabilities, and Substance Use Services
 - iii. Director, Division of Public Health/Assistant Secretary for Public Health
 - iv. Director, Division of State Operated Healthcare Facilities
 - v. Director, Office of Emergency Preparedness, Response & Recovery
- f. The following officials shall report through the Deputy Secretary for Opportunity and Well-being to the Secretary and shall exercise supervision over those officials within their respective organizations:
 - i. Director, Division of Child Development and Early Education
 - ii. Director, Division of Child and Family Well-Being
 - iii. Assistant Secretary Human Services (Director, Division of Social Services)
 - 1. Director, Division of Aging and Adult Services
 - iv. Assistant Secretary for Employment and Community Inclusion
 - 1. Director, Division of Disability Determination Services
 - 2. Director, Division of Services for the Blind
 - 3. Director, Division of Services for Deaf and Hard of Hearing
 - 4. Director, Division of Vocational Rehabilitation Services
 - 5. Director, NC Council on Developmental Disabilities
 - 6. Director, Office of Economic Opportunity
 - v. Director, Office of Healthy Opportunities
- g. The following officials shall report through the Deputy Secretary for Operational Excellence to the Secretary and shall exercise supervision over those officials within their respective organizations:
 - i. Assistant Secretary for Technology Services

1. Chief of Technology Services
2. Chief Risk Officer, Privacy and Security Office
 - a) The Chief Risk Officer shall report directly to the Secretary on matters of Privacy, Security, BCP/ COOP, Federal and State regulatory requirements.
- ii. Director, Division of Human Resources
- iii. Chief Financial Officer
 1. Director, Division of Budget and Analysis
 2. Director, Office of the Controller
- iv. Director, Office of Internal Audit
- v. Assistant Secretary for Contracts and Procurement
 1. Director, Office of Procurement, Contracts and Grants
- vi. Director, Office of Property and Construction
- vii. Director, Data Office
- viii. Director, Human Services Business Information and Analytics Office
- h. The following officials shall report through the Deputy Secretary for Medicaid to the Secretary and shall exercise supervision over those officials within their respective organizations:
 - i. Assistant Secretary for Medicaid
 - ii. Chief Medical Officer, NC Medicaid
- i. The following officials shall report through the Chief Health Equity Officer to the Secretary and shall exercise supervision over those officials within their respective organizations:
 - i. Assistant Secretary for Diversity and Inclusion
 - ii. Director, Olmstead Office
 - iii. Director, Office of Rural Health
 - iv. Director, Office of Health Equity
 1. Director of Latinx and Hispanic Policy and Strategy
3. The officials listed in paragraph 2(a)-(i) are authorized to perform any functions the Secretary is authorized to perform, other than functions expressly reserved to the Secretary, Chief Deputy Secretary, Chief of Staff or Deputy Secretaries and subject to the following: Each of these officials will perform under this authority only those functions that arise out of, relate to, or concern the activities or functions of, or the laws, rules and regulations administered by or relating to, the divisions, offices, or other organizational units over which the official has supervision. Each of these officials shall perform under this authority in the official's own capacity and the official's own title and shall be responsible for referring to the Secretary, through the appropriate Deputy Secretary, any matter on which action would appropriately be taken by the Secretary.
4. **SIGNATURE AUTHORITY.** The Chief Deputy Secretary and Deputy Secretaries for Health, Medicaid, Operational Excellence, and Health Equity are authorized to sign official Departmental documents for which the Secretary's signature is required in matters and activity related to their respective portfolio. Any such documents signed under this delegated signature authority will have the same force and effect as if signed by the Secretary.
 - a. **Settlements and Litigation Matters.** Any settlement agreement, consent order or other litigation related document in which the Department will be bound, may be signed, in lieu of the

Secretary's signature, by a Deputy Secretary, Assistant Secretary, Senior Director or Division Director, after consultation with the General Counsel.

- b. **Contracts and Procurement Matters.** All signatures on contracts and procurement matters may be signed in accordance with Secretarial Directive 004.
5. **RULEMAKING.** [reserved]
6. **BUDGET.** Secretarial Directive 003 is issued to provide for the development, modification, and management of the Department's budget.
7. **CONTRACTS and PROCUREMENT.** Secretarial Directive 004 is issued to provide for the review and execution of all contracts, agreements (MOU, MOA, DUA, DSA, etc.) and procurement activities, including amendments to existing contracts.
8. **AUTHORITIES.**
 - a. N.C. Gen. Stat. § 143B-10
 - b. N.C. Gen. Stat. § 143B, Article 3
9. **OFFICE OF PRIMARY INTEREST.** The Office of the General Counsel
10. **SECRETARY AUTHORITY.** This Directive and any delegation of authority herein shall not deprive the Secretary from performing, in lieu of the Chief Deputy Secretary or any other named official, any of the acts set forth above. This delegation of authority may be amended or withdrawn by the Secretary at any time and without notice. This delegation of authority shall not apply to any actions which by law, regulation or Executive Order, may only be executed by the Secretary.
11. **PRIOR DIRECTIVES AND DELEGATIONS.** This Directive and any delegation of authority herein shall supersede any previously issued directive or delegation, whether by the below signed Secretary or any previous Secretary, that conflicts with the terms set forth above.

DocuSigned by:



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Kody H. Kinsley
Secretary