



December 8, 2023

Chairs

Joint Legislative Oversight Committee on Health and Human Services

Joint Legislative Oversight Committee on Medicaid and NC Health Choice

Joint Legislative Education Oversight Committee

House and Senate Appropriations Committees on Health and Human Services

North Carolina General Assembly

Via email

Distinguished Chairs:

Disability Rights NC (DRNC) voluntarily submits the following in response to Session Law 2023-135. While it remains DRNC's position that the North Carolina General Assembly lacks the authority to compel such a report, we welcome the interest of lawmakers and the public in our work to improve the lives of the almost 3 million North Carolinians with disabilities we serve. DRNC submits this report without waiving the right to object on the basis that SL2023-135: (1) is an unconstitutional, unfunded mandate on a private, independent, non-profit business that does not receive state appropriations; 2) is an unconstitutional special bill targeting the health-related activities of only one business; 3) seeks privileged and confidential information obtained by attorneys in the course of their representation or prepared in anticipation of litigation; and 4) seeks release of confidential information protected by federal law governing Protection and Advocacy (P&A) operations.

As a private, independent non-profit receiving significant federal funding DRNC engages independent auditors annually. DRNC's financial processes and records consistently yield praise from auditors. To date, all DRNC's audits have been clean and unqualified.

As we noted during public comment and private conversations during the pendency of this legislation, DRNC has never been invited to address any of the committees to which we are being compelled to submit this report, but DRNC always has been and remains

pleased to do so. We continue to welcome more in-depth conversations with individual legislators, committees, or caucuses interested in learning more about the aspirations and legal rights of people with disabilities.

Respectfully,

A handwritten signature in blue ink, appearing to read "Virginia Knowlton Marcus", with a long horizontal flourish extending to the right.

Virginia Knowlton Marcus
CEO