

MECKLENBURG COUNTY BOARD OF COMMISSIONERS

RESOLUTION SUPPORTING INVOLUNTARY COMMITMENT TRANSPORT SERVICES BY NOVANT HEALTH

WHEREAS, pursuant to N.C.G.S. §122C-251, the County has the duty to provide, through its law enforcement officers, transportation under the involuntary commitment proceedings of Article 5 of Chapter 122C of the North Carolina General Statutes for (i) citizens of Mecklenburg County, and (ii) any person taken into custody within Mecklenburg County limits (“Transportation Services”); and

WHEREAS, Novant Health is a non-profit private healthcare organization with hospitals, including emergency departments, within Mecklenburg County; and

WHEREAS, Novant Health hospitals and emergency departments receive mental health patients who are respondents in commitment proceedings pursuant to Article 5 of Chapter 122C of the North Carolina General Statutes and who require Transportation Services from time to time; and

WHEREAS, N.C.G.S. §122C-251(g) provides that the governing body of a county may adopt a plan for the transportation of respondents in involuntary commitment proceedings under Article 5 of Chapter 122C and permits the Mecklenburg County Board of Commissioners to designate private agency personnel to provide all or parts of the Transportation Services required by involuntary commitment proceedings; provided such designated persons are trained and provided the County’s plan assures adequate safety and protection of both the public and the person transported and it further appearing all requirements of section 251(g) are satisfied; and

WHEREAS, pursuant to Mecklenburg County’s Involuntary Commitment Transportation Plan, adopted on August 5th, 2020, Novant Health on behalf of itself, its successors in interest, and its assigns, agreed to assist Mecklenburg County with its Transportation Services for some respondents within the County and between State counties for admission to 24-hour facilities, through Novant Health’s internal security staff and through employees of an external vendor G4S Secure Solutions (USA) Inc. and its successors, pursuant to the terms of Novant Health’s agreement with G4S Secure Solutions (USA); and

WHEREAS, going forward Novant Health may also enter into separate or additional agreements with other external vendors to provide the Transportation Services required by the involuntary commitment proceedings contained within Article 5 of Chapter 122C of the North Carolina General statutes for some respondents located at Novant Health facilities within Mecklenburg County, or may utilize its own internal security staff to provide those Transportation Services; and

WHEREAS, “Public Safety Personnel” refers to the internal security staff of Novant Health and “Patient Support Staff” refers to employees of external vendors engaged by Novant Health for the provision of Transportation Services, and Public Safety Personnel and Patient Support Staff collectively are referred to as “Private Agency Personnel”; and

WHEREAS, pursuant to N.C.G.S. §122C-251(g), Private Agency Personnel may transport respondents located at Novant Health facilities in Mecklenburg County being admitted to a 24-hour facility within the State, including but not limited to the inpatient behavioral health unit at Novant Health facilities, when (i) Novant Health clinical staff have evaluated the respondent's condition and travel considerations and determined that transportation by Private Agency Personnel is appropriate under the circumstances; and (ii) Private Agency Personnel are available to provide transportation services; and

WHEREAS, all other respondent transports from a Novant Health facility in Mecklenburg County and all respondent transports to a Novant Health facility for a first examination will be provided by the respective law enforcement agency for the County or such other municipalities as appropriate per N.C.G.S §122C-251, including but not limited to respondent transportation needs that exceed Private Agency Personnel's capability to meet; and

NOW, THEREFORE IT IS RESOLVED, that, as permitted by G.S. §122C-251(g), Novant Health is designated to itself provide and may engage the services of external vendors for transportation of respondents in involuntary commitment proceedings from Novant Health facilities in Mecklenburg County consistent with Mecklenburg County's Involuntary Commitment Transportation Plan, as updated by this resolution, and comply with the requirements and follow the procedures of Article 5 of Chapter 122C. Neither the adoption of this resolution nor the designation of a private provider for Transportation Services is or shall be construed as creating any agency or other relationship between the County, the Sheriff's Office, and a provider. This designation is intended to serve only as the designation required by G.S. §122C-251(g).

Adopted by the Mecklenburg County Board of Commissioners this 16th day of June, 2026.

Chairman

Attested by: _____
Clerk to the Board