

DHHS Directive Number II-1

Title: Delegation of Authority to the Deputy Secretary
Effective Date: November 3, 2008
Revision History: January 26, 2007, January 1, 2002
Authority: G.S. 143B-10

Purpose

The purpose of this directive is to delegate, clarify and specifically confirm certain authorities of the Secretary of the North Carolina Department of Health and Human Services (NC DHHS) to the Deputy Secretary of the DHHS. In addition to all duties and responsibilities applicable by virtue of the position's statutory authority, the Deputy Secretary shall have specific responsibilities in the management and administration of the department's budget and business operations, and for the department's operational support agencies which include the Divisions of Budget and Analysis, Human Resources, Information Resource Management, the Offices of the Controller, Internal Audit, Property and Construction, and Procurement and Contract Services, and shall have indirect oversight through the Senior Advisor to the Secretary over Citizen Services, and Boards and Commissions. Additionally, the Deputy Secretary shall serve on the DHHS Rate Setting Advisory Committee. This position shall report directly to the Secretary.

Delegation of Authority

In addition to all duties and responsibilities applicable by virtue of the position's statutory standing, the powers and duties as vested in the Secretary of the DHHS in G.S. 143B-10(g) are delegated to the Deputy Secretary, with responsibility of coordinating the development, modification, and management of the department's budget.

The Deputy Secretary shall have authority and be responsible for the preparation, review, and the execution of responses to correspondence or inquiries regarding issues of direct relevance to departmental budgetary matters, issues of direct relevance to the Fiscal Research Department of the NC General Assembly, issues of direct relevance to the NC Office of State Budget and Management, and issues of direct relevance to the NC Office of Motor Fleet Management.

The Deputy Secretary shall have authority to establish, and modify as necessary, a centralized contracts management system for the department. The Deputy Secretary or the Deputy's designee,

shall oversee the management of the centralized system. The Deputy Secretary shall review all grants and contracts, including amendments to existing contracts, prior to submission to the Secretary for execution. In the absence of the Secretary, the Deputy Secretary is given authority to execute all grants and contracts, including amendments to existing contracts, of which execution by the Secretary is not specifically required by law, state policy or NC Governor's Executive Order.

The Deputy Secretary shall have 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.

The Deputy Secretary shall have 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.

The Deputy Secretary shall consult with the Assistant Secretary for Health Policy and the Assistant Secretary for Long Term Care and Family Services in the development and management of the department's budget with respect to the department's health and family support agencies. The Deputy Secretary shall review all budget documents reflecting continuation, expansion and supplemental budgets, proposed and submitted by the departmental divisions, offices, etc., through the assistant secretaries and make appropriate recommendations to the Secretary regarding approval.

As provided in G.S. 143B-10(a), the Secretary of the DHHS delegates management and administration powers and duties to the Deputy Secretary with respect to the department's operational support agencies.

In consultation with the Secretary, authority is delegated to the Deputy Secretary for approval of the hiring and removal of staff within the department's operational support agencies. In the execution of a reduction in force, the determination of positions to be eliminated or reallocated, including both filled and vacant positions shall be approved by the Deputy Secretary prior to submission to the Secretary or the Secretary's designee for final departmental review and approval.

This delegation of authority shall not deprive the Secretary from performing, in lieu of the Deputy Secretary, 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, state policy or NC Governor's Executive Order, may only be executed by the Secretary.

APPROVED

Dempsey Benton, Secretary
Department of Health and Human Services