

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

S

1

SENATE BILL 372

Short Title: MH Client Records.

(Public)

Sponsors: Senator Martin of Guilford.

Referred to: Human Resources.

March 28, 1991

A BILL TO BE ENTITLED

AN ACT TO MAKE CHANGES TO THE LAW RELATING TO EXEMPTIONS TO
CONFIDENTIALITY OF MENTAL HEALTH CLIENTS' RECORDS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 122C-55(a) reads as rewritten:

"(a) Any area or State facility or the psychiatric service of the University of North Carolina Hospitals at Chapel Hill may share confidential information regarding any client of that facility with any other area or State facility or the psychiatric service of the University of North Carolina Hospitals at Chapel Hill ~~upon a written determination by the responsible professional that such disclosure is necessary when necessary~~ to coordinate appropriate and effective care, treatment or habilitation of the client and ~~that when~~ failure to share this information would be detrimental to the care, treatment or habilitation of the client; ~~provided however, confidential information may be shared without a written determination either between State facilities or between area facilities within the same catchment area.~~ client. Under the circumstances described in this subsection, the consent of the client or legally responsible person is not required for this information to be furnished, and the information may be furnished despite objection by the client."

Sec. 2. This act becomes effective October 1, 1991.