

GENERAL ASSEMBLY OF NORTH CAROLINA
1991 SESSION

CHAPTER 359
SENATE BILL 372

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.

In the General Assembly read three times and ratified this the 24th day of June, 1991.

James C. Gardner
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives