

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 484
Second Edition Engrossed 4/19/23

Short Title: Mental Health Confidential Info. Disclosure. (Public)

Sponsors: Representatives Blackwell, Sasser, K. Baker, and Crutchfield (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Health, if favorable, Rules, Calendar, and Operations of the House

March 28, 2023

A BILL TO BE ENTITLED

AN ACT TO MODIFY THE LAW PERTAINING TO THE RELEASE OF CONFIDENTIAL INFORMATION BY MENTAL HEALTH PROVIDERS TO CONFORM TO FEDERAL REGULATIONS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 122C-53(a) reads as rewritten:

"(a) A facility may disclose confidential information regarding a client if the client or the legally responsible person consents in writing to the release of the information ~~to a specified person. This release is valid for a specified length of time and which~~ is subject to revocation by the consenting individual. A written release that contains the core elements for authorizations as set forth in Subpart E of Part 164 of Title 45 of the Code of Federal Regulations shall be valid for the purposes of this subsection."

SECTION 2. The Commission for Mental Health, Developmental Disabilities, and Substance Abuse Services of the Department of Health and Human Services shall adopt temporary rules to implement this act. The temporary rules shall remain in effect until permanent rules that replace the temporary rules become effective.

SECTION 3. This act is effective October 1, 2023, and applies to releases of information consented to on or after that date.



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