

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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HOUSE BILL 925

Short Title: Data Sharing/DHHS Agencies. (Public)

Sponsors: Representatives M. Alexander, Brisson, Farmer-Butterfield, Earle (Primary Sponsors); Faison, Fisher, Harrison, Insko, and Lucas.

Referred to: Health, if favorable, Judiciary I.

April 1, 2009

1 A BILL TO BE ENTITLED  
2 AN ACT TO AUTHORIZE THE SHARING OF CONFIDENTIAL INFORMATION  
3 AMONG AGENCIES OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES  
4 IN ORDER TO CONDUCT QUALITY ASSESSMENT AND IMPROVEMENT  
5 ACTIVITIES AND COORDINATE APPROPRIATE AND EFFECTIVE CARE,  
6 TREATMENT, OR HABILITATION OF DHHS CLIENTS.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.(a)** G.S. 122C-55(a1) reads as rewritten:

9 "(a1) Any ~~State or area facility or the psychiatric service of the University of North~~  
10 ~~Carolina Hospitals at Chapel Hill facility~~ may share confidential information regarding any  
11 client of that facility with the Secretary, and the Secretary may share confidential information  
12 regarding any client with ~~an area or State facility or the psychiatric service of the University of~~  
13 ~~North Carolina Hospitals at Chapel Hill~~ a facility when the responsible professional or the  
14 Secretary determines that disclosure is necessary to conduct quality assessment and  
15 improvement activities or to coordinate appropriate and effective care, treatment or habilitation  
16 of the client. For purposes of this subsection and subsection (a6) of this section, the purposes or  
17 activities for which confidential information may be disclosed include, but are not limited to,  
18 case management and care coordination, disease management, outcomes evaluation, the  
19 development of clinical guidelines and protocols, the development of care management plans  
20 and systems, population-based activities relating to improving or reducing health care costs,  
21 and the provision, coordination, or management of mental health, developmental disabilities,  
22 and substance abuse services and related services. As used in this section, "Secretary" includes  
23 the Department's Community Care of North Carolina Program or other primary care case  
24 management programs that contracts with the Department to provide a primary care case  
25 management program for recipients of publicly funded health and related services."

26 **SECTION 1.(b)** G.S. 122C-55 is amended by adding the following new subsection  
27 to read:

28 "(a6) When necessary to conduct quality assessment and improvement activities or to  
29 coordinate appropriate and effective care, treatment, or habilitation of the client, a DHHS  
30 primary care case manager may disclose confidential information acquired pursuant to  
31 subsection (a1) of this section to a health care provider or other entity that has entered into a  
32 written agreement with the Department's Community Care of North Carolina Program or other  
33 primary care case management program to participate in the care management support network  
34 and systems development and maintained by the primary care case manager for the purpose of  
35 coordinating and improving the quality of care for recipients of publicly funded health and  
36 related services. Health care providers and other entities receiving confidential information



1 from a Department's Community Care of North Carolina Program or other primary care case  
2 management program pursuant to this subsection may use and disclose the information as  
3 authorized by G.S. 122C-53 through G.S. 122C-56 or as permitted or required by other  
4 applicable State or federal law."

5 **SECTION 2.** This act is effective when it becomes law.