

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011**

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**SENATE BILL 316\***

Short Title: Add'l Section 1915 Medicaid Waiver Sites. (Public)

Sponsors: Senators Hartsell; and Pate.

Referred to: Health Care.

March 14, 2011

1 A BILL TO BE ENTITLED  
2 AN ACT TO AUTHORIZE DHHS TO IMPLEMENT ADDITIONAL 1915(B)(C)  
3 MEDICAID WAIVER SITES AND THIRD-PARTY BILLING FOR STATE  
4 FACILITIES.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Section 10.24 of S.L. 2010-31 is repealed.

7 **SECTION 2.** The Department of Health and Human Services shall implement  
8 additional capitated 1915(b)(c) Medicaid waivers during the 2011-2012 fiscal year through a  
9 Request for Application (RFA) process for LME applicants who prove readiness. The waiver  
10 program shall include all Medicaid-covered mental health, developmental disabilities, and  
11 substance abuse services. Expansion of the waiver is contingent upon approval by the Centers  
12 for Medicare and Medicaid Services.

13 **SECTION 3.** G.S. 122C-55(g) reads as rewritten:

14 "(g) Whenever there is reason to believe that the client is eligible for financial benefits  
15 through a governmental agency, a facility may disclose confidential information to State, local,  
16 or federal government agencies. Except as provided in ~~G.S.122C-55(a3), subsections (a3) and~~  
17 (g1) of this section, disclosure is limited to that confidential information necessary to establish  
18 financial benefits for a client. ~~After-Except as provided in subsection (g1) of this section, after~~  
19 establishment of these benefits, the consent of the client or his legally responsible person is  
20 required for further release of confidential information under this subsection."

21 **SECTION 4.** G.S. 122C-55 is amended by adding a new subsection to read:

22 "(g1) A facility may disclose confidential information for the purpose of collecting  
23 payment due the facility for the cost of care, treatment, or habilitation."

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

