

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

S

1

SENATE BILL 44

Short Title: Workers Comp Coverage/Public Records. (Public)

Sponsors: Senators Brown (Primary Sponsor); Brock and Daniel.

Referred to: Commerce.

February 5, 2013

1 A BILL TO BE ENTITLED  
2 AN ACT TO PERMIT DISCLOSURE OF CERTAIN INFORMATION PERTAINING TO  
3 WORKERS' COMPENSATION COVERAGE BY THE NORTH CAROLINA  
4 INDUSTRIAL COMMISSION, AS RECOMMENDED BY THE JOINT LEGISLATIVE  
5 COMMITTEE ON WORKERS' COMPENSATION INSURANCE COVERAGE  
6 COMPLIANCE AND FRAUD PREVENTION AND DETECTION.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 58-36-17 reads as rewritten:

9 "**§ 58-36-17. Bureau to share information with the North Carolina Industrial**  
10 **Commission.**

11 The Bureau shall provide to the North Carolina Industrial Commission information  
12 contained in the Bureau's records indicating the status of workers' compensation insurance  
13 coverage on North Carolina employers as reported to the Bureau by the Bureau's member  
14 companies. The North Carolina Industrial Commission shall take such steps, including  
15 obtaining software or software licenses, as are necessary to be able to receive and process such  
16 information from the Bureau. The records provided to the North Carolina Industrial  
17 Commission under this section shall be confidential and shall not be public records as that term  
18 is defined in G.S. 132-1. Notwithstanding the previous sentence and with respect to policies  
19 becoming effective on and after January 1, 2012, the North Carolina Industrial Commission  
20 may release data showing ~~workers~~workers' compensation insurance policy information that  
21 includes ~~only~~only: employer name and address; carrier name, address, and telephone number;  
22 policy number; policy effective dates; dates; policy cancellation dates; dates; and policy  
23 reinstatement dates. This data shall not be confidential data and shall be a public record as that  
24 term is defined in G.S. 132-1. The North Carolina Industrial Commission shall use the  
25 information provided pursuant to this section only to carry out its statutory duties and  
26 obligations under The North Carolina Workers' Compensation Act. The Bureau shall be  
27 immune from civil liability for releasing information pursuant to this section, even if the  
28 information is erroneous, provided the Bureau acted in good faith and without malicious or  
29 willful intent to harm in releasing the information."

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

