

February 22, 2007

**H 353. ACCESS TO PUBLIC HEALTH INFORMATION.** Filed 2/22/07. *TO PROVIDE ACCESS TO INFORMATION FOR PUBLIC HEALTH PURPOSES IN A MANNER THAT IS CONSISTENT WITH THE HEALTH INFORMATION PORTABILITY AND ACCOUNTABILITY ACT (HIPAA) MEDICAL PRIVACY RULE.* Enacts new GS 130A-15 permitting the State Health Director (Director) access to patient medical records containing privileged medical information or information protected under the HIPAA medical privacy rule as the Director considers necessary to address a disease or health hazard that may present a clear danger to the public health [was, among the duties allotted to the Secretary of Health and Human Services per GS 130A-5(2)]. Makes conforming changes to GS 130A-5(2). Directs that confidential or protected health information received by the Director is to remain confidential and specifies exceptions allowing the release of the information. Prescribes that a person who provides access to or copies of the patient medical records under the guidelines of the statute is immune from civil or criminal liability.  
**Intro. by Glazier.** GS 130A

April 11, 2007

**H 353. ACCESS TO PUBLIC HEALTH INFORMATION.** Filed 2/22/07. House committee substitute makes the following changes to 1st edition. Clarifies that the exception to the release of confidential or protected health information applies to preventing, controlling, or investigating a *public* health hazard.

June 7, 2007

**H 353. PUB. HEALTH INFO. ACCESS/HIPAA CLARIFICATION (NEW).** Filed 2/22/07. Senate committee substitute makes the following changes to 2nd edition. Modifies proposed GS 130A-15 to specify that *privileged medical information* (was, confidential) or protected health information received by the State Health Director under the statute is not a public record under GS 132-1 (defining *public records*). Amends GS 90-21.20B and GS 8-53.1 to clarify that a healthcare provider may disclose protected health information to the extent that the disclosure is permitted under federal law and is not specifically prohibited by other state or federal law. Amends GS 20-139.1(c) and 20-139.1(d2) to permit a healthcare provider to refuse law enforcement's request to collect blood or urine if it reasonably appears that to do so will endanger the person collecting the sample or the person from whom the sample is taken. Provides that the requesting officer may ask for a written justification for the refusal, which must be provided at the time of the refusal. Makes conforming changes to title.

June 11, 2007

**H 353. PUB. HEALTH INFO. ACCESS/HIPAA CLARIFICATION.** Filed 2/22/07. Senate amendment makes the following changes to 3rd edition. Amends GS 20-139.1(c) to exempt the employer of a person who is collecting urine according to a request by a law enforcement officer from criminal or civil liability in connection with the urine collection. Also amends GS 20-139.1(c) and GS 20-139.1(d2) to require the medical provider that has determined that a blood or urine sample could not be safely collected to provide written justification at the time of the refusal if an officer requesting the blood or urine sample requests a written justification for the refusal. Makes technical changes.

June 29, 2007

**SL 2007-115 (H 353). PUBLIC HEALTH INFO. ACCESS/HIPAA CLARIFICATION. AN ACT TO PROVIDE ACCESS TO INFORMATION FOR PUBLIC HEALTH PURPOSES IN A MANNER THAT IS CONSISTENT WITH THE HEALTH INFORMATION PORTABILITY AND ACCOUNTABILITY ACT (HIPAA) MEDICAL PRIVACY RULE AND TO CLARIFY THAT OTHER DISCLOSURES ARE GOVERNED BY HIPAA.** Summarized in *Daily Bulletin* 2/22/07, 4/11/07, 6/7/07, and 6/11/07. Enacted June 27, 2007. Effective June 27, 2007.