

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

H

D

HOUSE BILL 925
PROPOSED COMMITTEE SUBSTITUTE H925-PCS50604-RF-34

Short Title: Data Sharing/DHHS Agencies.

(Public)

Sponsors:

Referred to:

April 1, 2009

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE SHARING OF CONFIDENTIAL INFORMATION
AMONG AGENCIES OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES
IN ORDER TO CONDUCT QUALITY ASSESSMENT AND IMPROVEMENT
ACTIVITIES AND COORDINATE APPROPRIATE AND EFFECTIVE CARE,
TREATMENT, OR HABILITATION OF DHHS CLIENTS.

The General Assembly of North Carolina enacts:

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

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

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

"(a6) When necessary to conduct quality assessment and improvement activities or to coordinate appropriate and effective care, treatment, or habilitation of the client, a DHHS primary care case manager may disclose confidential information acquired pursuant to subsection (a1) of this section to a health care provider or other entity that has entered into a written agreement with the Department's Community Care of North Carolina Program, or other primary care case management program, to participate in the care management support network and systems developed and maintained by the primary care case manager for the purpose of



* H 9 2 5 - P C S 5 0 6 0 4 - R F - 3 4 *

1 coordinating and improving the quality of care for recipients of publicly funded health and
2 related services. Health care providers and other entities receiving confidential information
3 from a Department's Community Care of North Carolina Program or other primary care case
4 management program pursuant to this subsection may use and disclose the information as
5 authorized by G.S. 122C-53 through G.S. 122C-56 or as permitted or required by other
6 applicable State or federal law."

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