

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE BILL 44
PROPOSED COMMITTEE SUBSTITUTE S44-PCS75072-TG-1

Short Title: Workers Comp Coverage/Public Records.

(Public)

Sponsors:

Referred to:

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, sentence and with respect to~~
19 ~~policies becoming effective on and after January 1, 2012,~~ the North Carolina Industrial
20 Commission may release data showing ~~workers-workers'~~ compensation insurance policy
21 information that includes ~~only-only employer name and address, carrier name, address, and~~
22 ~~telephone number; policy number; policy effective dates,dates; policy cancellation dates,dates;~~
23 and policy reinstatement dates. This data shall not be confidential data and shall be a public
24 record as that term is defined in G.S. 132-1. The North Carolina Industrial Commission shall
25 use the 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.



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