

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE BILL 51*
PROPOSED COMMITTEE SUBSTITUTE S51-PCS85049-TP-2

Short Title: GBICC/Workers' Comp Program Integrity. (Public)

Sponsors:

Referred to:

February 6, 2013

1 A BILL TO BE ENTITLED
2 AN ACT REQUIRING THAT THE STATE CONTROLLER, GOVERNMENT BUSINESS
3 INTELLIGENCE COMPETENCY CENTER, ENHANCE THE STATE'S
4 ENTERPRISE-LEVEL BUSINESS INTELLIGENCE THROUGH THE COLLECTION
5 AND ANALYSIS OF DATA FROM VARIOUS STATE AGENCIES RELATED TO
6 WORKERS' COMPENSATION INSURANCE COVERAGE AND CLAIMS FOR THE
7 PURPOSE OF FRAUD PREVENTION AND DETECTION, AS RECOMMENDED BY
8 THE JOINT LEGISLATIVE COMMITTEE ON WORKERS' COMPENSATION
9 INSURANCE COVERAGE COMPLIANCE AND FRAUD PREVENTION AND
10 DETECTION.

11 The General Assembly of North Carolina enacts:

12 **SECTION 1.** Section 6A.7A(g) of S.L. 2012-142 is amended by adding a new
13 subdivision to read:

14 "SECTION 6A.7A.(g) Miscellaneous Provisions. –

15 ...

16 (3) Workers' Compensation Program Integrity. – The State Controller and the
17 GBICC shall enhance the State's business intelligence through the collection
18 and analysis of data relating to workers' compensation claims for the purpose
19 of preventing and detecting fraud, as follows:

20 a. The North Carolina Industrial Commission shall release to GBICC,
21 or otherwise provide electronic access to, all data requested by
22 GBICC relating to workers' compensation insurance coverage,
23 claims, appeals, compliance, and enforcement under Chapter 97 of
24 the General Statutes.

25 b. The North Carolina Rate Bureau (Bureau) shall release to GBICC, or
26 otherwise provide electronic access to, all data requested by GBICC
27 relating to workers' compensation insurance coverage, claims,
28 business ratings, and premiums under Chapter 58 of the General
29 Statutes. The Bureau shall be immune from civil liability for
30 releasing information pursuant to this subsection, even if the
31 information is erroneous, provided the Bureau acted in good faith
32 and without malicious or willful intent to harm in releasing the
33 information.

34 c. The Department of Commerce, Division of Employment Security
35 (DES), shall release to GBICC, or otherwise provide access to, all
36 data requested by GBICC relating to unemployment insurance



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- 1 coverage, claims, and business reporting under Chapter 96 of the
- 2 General Statutes.
- 3 d. The Department of Labor shall release to GBICC, or otherwise
- 4 provide access to, all data requested by GBICC relating to safety
- 5 inspections, wage and hour complaints, and enforcement activities
- 6 under Chapter 95 of the General Statutes.
- 7 e. The Department of Revenue shall release to GBICC, or otherwise
- 8 provide access to, all data requested by GBICC relating to the
- 9 registration and address information of active businesses, business
- 10 tax reporting, and aggregate federal tax Form 1099 data for
- 11 comparison with information from DES, the Rate Bureau, and the
- 12 Department of the Secretary of State for the evaluation of business
- 13 reporting. The Department of Revenue and the Office of the State
- 14 Controller shall work jointly to assure that the evaluation of tax
- 15 information pursuant to this subdivision is performed in accordance
- 16 with applicable federal law.
- 17 f. All information shared with GBICC and the State Controller under
- 18 this subdivision is protected from release and disclosure in the same
- 19 manner as any other information available to GBICC and the State
- 20 Controller pursuant to this section."

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