

**G.S. 150B-21.3A Report for 10A NCAC Subchapter 26B, CONFIDENTIALITY RULES**

Agency - DHHS - Commission for Mental Health, Developmental Disabilities and Substance Abuse Services

Comment Period - January 2, 2015- March 3, 2015

Date Submitted to APO - April 20, 2015

Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps	
<b>SECTION .0100 – GENERAL RULES</b>	10A NCAC 26B .0101	PURPOSE AND SCOPE	Amended Eff. November 2, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note	
	10A NCAC 26B .0102	GENERAL PROVISIONS	Amended Eff. February 1, 1991	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note	
	10A NCAC 26B .0103	DEFINITIONS	Amended Eff. November 2, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note	
	10A NCAC 26B .0104	LIABILITY OF PERSONS WITH ACCESS TO INFORMATION	Amended Eff. March 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note	
	10A NCAC 26B .0105	OWNERSHIP OF RECORDS	Amended Eff. February 1, 1991	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note	
	10A NCAC 26B .0106	ALTERATIONS IN THE CLIENT RECORD	Amended Eff. March 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note	
	10A NCAC 26B .0107	SECURITY OF CONFIDENTIAL INFORMATION	Amended Eff. February 1, 1986	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note	
	10A NCAC 26B .0108	ASSURANCE OF CONFIDENTIALITY	Amended Eff. March 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note	
	10A NCAC 26B .0109	REVIEW OF DECISIONS	Eff. February 1, 1986	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note	
	10A NCAC 26B .0110	INFORMATION RECEIVED FROM OTHER AGENCIES/INDIVIDUALS	Amended Eff. March 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note	
	10A NCAC 26B .0111	INFORMATION PROVIDED TO FAMILY/OTHERS	Eff. November 2, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note	
<b>SECTION .0200 – RELEASE OF CONFIDENTIAL INFORMATION WITH CONSENT</b>	10A NCAC 26B .0201	CONSENT FOR RELEASE	Amended Eff. February 1, 1986	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note	
		10A NCAC 26B .0202	CONSENT FOR RELEASE FORM	Amended Eff. July 1, 1993	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 26B .0203	PERSONS WHO MAY SIGN CONSENT FOR RELEASE	Amended Eff. January 1, 1996	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 26B .0204	VERIFICATION OF AUTHORIZATION IN CASES OF DOUBT	Amended Eff. February 1, 1986	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 26B .0205	INFORMED CONSENT	Amended Eff. February 1, 1986	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

**G.S. 150B-21.3A Report for 10A NCAC Subchapter 26B, CONFIDENTIALITY RULES**

Agency - DHHS - Commission for Mental Health, Developmental Disabilities and Substance Abuse Services

Comment Period - January 2, 2015- March 3, 2015

Date Submitted to APO -April 20, 2015

Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
	10A NCAC 26B .0206	PERSONS DESIGNATED TO RELEASE CONFIDENTIAL INFORMATION	Amended Eff. March 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	10A NCAC 26B .0207	DOCUMENTATION OF RELEASE	Amended Eff. January 1, 2005	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	10A NCAC 26B .0208	PROHIBITION AGAINST REDISCLOSURE	Amended Eff. February 1, 1986	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	10A NCAC 26B .0209	RELEASE TO HUMAN RIGHTS COMMITTEE MEMBERS	Amended Eff. February 1, 1986	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	10A NCAC 26B .0210	RELEASE TO AREA BOARD MEMBERS	Eff. February 1, 1991	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	10a NCAC 26B .0211	RELEASE OF INFORMATION BY INTERNAL CLIENT ADVOCATES	Eff. February 1, 1991	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
<b>SECTION .0300 – DISCLOSURE OF CONFIDENTIAL INFORMATION WITHOUT CONSENT</b>	10A NCAC 26B .0301	NOTICE TO CLIENT	Amended Eff. March 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	10A NCAC 26B .0302	PERSONS DESIGNATED TO DISCLOSE CONFIDENTIAL INFORMATION	Amended Eff. March 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	10A NCAC 26B .0304	PROHIBITION AGAINST REDISCLOSURE	Amended Eff. February 1, 1986	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note