

G.S. 150B-21.3A Report for 10A NCAC 69, CONFIDENTIALITY AND ACCESS TO CLIENT RECORDS

Agency - Social Services Commission

Comment Period - April 19, 2016 through June 19, 2016

Date Submitted to APO - August 22, 2016

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(e)]	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
SECTION .0100 – GENERAL PROVISIONS	10A NCAC 69 .0101	DEFINITIONS	Eff. October 1, 1981	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	10A NCAC 69 .0102	INFORMATION FROM OTHER AGENCIES	Eff. October 1, 1981	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
SECTION .0200 – SAFEGUARDING CLIENT INFORMATION	10A NCAC 69 .0201	CONFLICT OF LAWS	Amended Eff. March 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	10A NCAC 69 .0202	OWNERSHIP OF RECORDS	Eff. October 1, 1981	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	10A NCAC 69 .0203	SECURITY OF RECORDS	Amended Eff. March 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	10A NCAC 69 .0204	ASSURANCE OF CONFIDENTIALITY	Eff. October 1, 1981	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	10A NCAC 69 .0205	LIABILITY OF PERSONS WITH ACCESS TO CLIENT INFORMATION	Amended Eff. February 1, 1986	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
SECTION .0300 - CLIENT ACCESS TO RECORDS	10A NCAC 69 .0301	RIGHT OF ACCESS	Eff. October 1, 1981	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	10A NCAC 69 .0302	PROMPT RESPONSE TO REQUEST	Eff. October 1, 1981	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	10A NCAC 69 .0303	WITHHOLDING INFORMATION FROM THE CLIENT	Eff. October 1, 1981	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	10A NCAC 69 .0304	PROCEDURES FOR REVIEW OF RECORDS	Eff. October 1, 1981	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 69 .0305	CONTESTED INFORMATION	Eff. October 1, 1981	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	10A NCAC 69 .0306	REVIEW OF RECORD BY PERSONAL REPRESENTATIVES	Eff. October 1, 1981	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
SECTION .0400 - RELEASE OF CLIENT INFORMATION	10A NCAC 69 .0401	PROCEDURE FOR OBTAINING CONSENT FOR RELEASE OF INFORMATION	Amended Eff. March 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	10A NCAC 69 .0402	CONSENT FOR RELEASE OF INFORMATION	Eff. October 1, 1981	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	10A NCAC 69 .0403	PERSONS WHO MAY CONSENT TO THE RELEASE OF INFORMATION	Eff. October 1, 1981	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	10A NCAC 69 .0404	INFORMED CONSENT	Eff. October 1, 1981	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	10A NCAC 69 .0405	PERSONS DESIGNATED TO RELEASE CLIENT INFORMATION	Eff. October 1, 1981	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	10A NCAC 69 .0406	DOCUMENTATION OF RELEASE	Eff. October 1, 1981	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
SECTION .0500 - DISCLOSURE OF CLIENT INFORMATION WITHOUT CLIENT CONSENT	10A NCAC 69 .0501	DISCLOSURE WITHIN THE AGENCY	Amended Eff. March 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	10A NCAC 69 .0502	DISCLOSURE FOR THE PURPOSE OF RESEARCH	Eff. October 1, 1981	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	10A NCAC 69 .0503	DISCLOSURE FOR PURPOSES OF ACCOUNTABILITY	Amended Eff. March 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt

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	10A NCAC 69 .0504	DISCLOSURE PURSUANT TO OTHER LAWS	Eff. October 1, 1981	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	10A NCAC 69 .0505	DISCLOSURE PURSUANT TO A COURT ORDER	Eff. October 1, 1981	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	10A NCAC 69 .0506	NOTICE TO CLIENT	Eff. October 1, 1981	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	10A NCAC 69 .0507	DOCUMENTATION OF DISCLOSURE	Eff. October 1, 1981	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	10A NCAC 69 .0508	PERSONS DESIGNATED TO DISCLOSE INFORMATION	Eff. October 1, 1981	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
SECTION .0600 - SERVICE PROVIDERS	10A NCAC 69 .0601	INFORMATION NEEDS OF SERVICE PROVIDERS	Eff. October 1, 1981	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	10A NCAC 69 .0602	CONTRACT RESTRICTION	Eff. October 1, 1981	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	10A NCAC 69 .0603	ASSURANCE OF CONFIDENTIALITY	Eff. October 1, 1981	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	10A NCAC 69 .0604	OWNERSHIP OF RECORDS	Eff. October 1, 1981	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	10A NCAC 69 .0605	LIABILITY OF SERVICE PROVIDERS	Eff. October 1, 1981	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt