



HOUSE BILL 484: Mental Health Confidential Info. Disclosure.

2023-2024 General Assembly

Committee:	House Health. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	April 17, 2023
Introduced by:	Reps. Blackwell, Sasser, K. Baker, Crutchfield	Prepared by:	Theresa Matula
Analysis of:	First Edition		Legislative Analyst

OVERVIEW: *House Bill 484 would amend current law to conform to federal regulations with regard to the requirements for disclosure of confidential information by a mental health facility and would require the adoption of temporary rules until permanent rules become effective.*

CURRENT LAW: G.S. 122C-52 provides a client's right to have information treated confidentially. G.S. 122C-53 provides exceptions to allow for the disclosure of confidential information.

[Subpart E of Part 164 of Title 45](#) of the Code of Federal Regulations pertains to the privacy of individually identifiable health information.

BILL ANALYSIS: House Bill 484 provides that a mental health facility may disclose confidential information if a client or legally responsible person consents in writing to the release of the information and the written release contains the core elements required by the Code of Federal Regulations (Subpart E of Part 164 of Title 45).

The bill also requires the Division of Mental Health, Developmental Disabilities and Substance Abuse Services in the Department of Health and Human Services, to adopt temporary rules that will remain in effect until the permanent rules become effective.

EFFECTIVE DATE: The bill would become effective October 1, 2023, and apply to releases of information consented to on or after that date.

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