



# HOUSE BILL 484: Mental Health Confidential Info. Disclosure.

2023-2024 General Assembly

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<b>Committee:</b>	Senate Health Care. If favorable, re-refer to Rules and Operations of the Senate	<b>Date:</b>	June 7, 2023
<b>Introduced by:</b>	Reps. Blackwell, Sasser, K. Baker, Crutchfield	<b>Prepared by:</b>	Theresa Matula
<b>Analysis of:</b>	Second Edition		Legislative Analyst

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**OVERVIEW:** House Bill 484 would amend current law to conform to federal regulations with regard to the requirements for disclosure of confidential information regarding a client 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 regarding a client 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 Commission for Mental Health, Developmental Disabilities and Substance Abuse Services of 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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