

10A NCAC 47B .0103 CONFIDENTIALITY

- (a) The clinical records of individual patients submitted to the registry shall be confidential and shall not be public records open to inspection. Only personnel authorized by the director of the State Center for Health Statistics and other individuals authorized by the director of the State Center for Health Statistics or his/her designee pursuant to Paragraph (c) of this Rule shall have access to the records.
- (b) The information contained in the clinical records of individual patients submitted to the registry may be transferred to computer-compatible means of data entry. Only personnel authorized by the director of the State Center for Health Statistics to use computers, terminals, programs, data files, and other computer hardware or software involved in maintaining patient information shall have access to them.
- (c) Clinical information in possession of the registry may be disclosed in the following circumstances when authorized by the director of the State Center for Health Statistics or his/her designee:
- (1) A patient shall have access to review or obtain copies of his/her records;
 - (2) Information may be disclosed in response to a valid court order;
 - (3) Information may be disclosed as provided in Rule .0106 of this Section;
 - (4) Information contained in death certificates on file with the division (but not actual copies of death certificates) may be released to a participating facility when the facility requests a death match for confirmation of the reported or suspected deaths of cancer patients treated at that facility. Death match information released by the registry shall include only that information contained in the death certificates.
- (d) The State Center for Health Statistics may release statistical information and data based on client information so long as no information identifying individual patients is released.
- (e) Photocopying or other reproduction of any clinical records or reports containing identifying information, except as may be required in the conduct of the official business of the registry, is prohibited.
- (f) Any legible documents other than the original abstracts, such as computer printouts or photocopies of any documents containing identifying information, shall also be considered confidential material while in active use, and shall be destroyed immediately upon termination of their use by the registry.
- (g) Original copies of reports and abstracts, and follow-up information received thereunto, shall be retained for 5 years by the registry.
- (h) The director of the State Center for Health Statistics shall make known to all individuals with access to patient information submitted to the registry the privileged and confidential nature of such information.

*History Note: Authority G.S. 130A-205; 130A-208 through 130A-213;
Eff. January 1, 1982;
Amended Eff. October 1, 1982;
Transferred and Recodified from 10 NCAC 8A .0803 Eff. April 4, 1990;
Amended Eff. April 1, 2001; December 1, 1990;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 20, 2015.*