

10A NCAC 23H .0109 PROCEDURE FOR REVIEW OF RECORDS

(a) The director or his or her delegated representative shall be present when the client reviews the record. The director or his or her delegated representative shall document in the client record the review of the record by the client.

(b) A client may contest the accuracy, completeness, or relevancy of the information in his or her record. If the Division or county department of social services determines correction is required by federal statute or regulation to support receipt of State or federal participation, the correction of the contested information shall be accomplished by inserting it in the record when the director or his or her delegated representative concurs that such correction is justified. When the director or his or her delegated representative does not concur, the client shall be allowed to enter a statement in the record. Deletion of the contested information is not permitted. If a delegated representative decides not to correct contested information, the decision not to correct shall be reviewed by the supervisor of the person making the initial decision. All corrections and statements shall be made a permanent part of the record and shall be disclosed to any recipient of the disputed information.

(c) Upon written request from the client, his or her personal representative, including an attorney, may have access to review or obtain without charge, a copy of the information in his or her record. The client may permit the personal representative to have access to his or her entire record or may restrict access to certain portions of the record. Rules .0107 and .0108 of this Section shall apply.

*History Note: Authority G.S. 108A-54; 108A-54.1B; 108A-80;
Eff. September 1, 1984;
Transferred from 10A NCAC 21A .0409 Eff. May 1, 2012;
Readopted Eff. August 1, 2019.*