

10A NCAC 70A .0203 CONFIDENTIALITY

(a) Any member of a Community Child Protection Team may share, during an official meeting of that team, any information available to that member that the team needs to carry out its responsibilities. The county director, however, shall not share any information that discloses the identity of individuals who have reported suspected abuse, neglect, or dependency to the county department of social services.

(b) Each member of a Community Child Protection Team and invited participant shall sign a statement indicating their understanding of and adherence to confidentiality requirements. Such statement shall include the possible civil or criminal consequences of any breach of confidentiality as well as the applicability of these Rules to any personal files created or maintained by any team member or invited participant.

(c) A team member or invited participant who fails to comply with the confidentiality requirements of this Section shall be subject to dismissal from the team or to the denial of future participation in team reviews respectively.

(d) Information generated by an executive session of a Community Child Protection Team shall be accessible for administrative purposes to the following:

- (1) the State Team and the Task Force during its existence as necessary to carry out their purposes;
- (2) staff of the Division of Social Services and staff of the Office of the Secretary of the Department of Human Resources who require access in the course of performing duties pertinent to the supervision and evaluation of the Child Protective Services Program;
- (3) the local board of county commissioners when the Community Child Protection Team makes its annual recommendations, if any, for system improvements and needed resources where gaps and deficiencies exist in the delivery of services to children and their families. Such report shall be general in nature not revealing confidential information about children and families; and
- (4) the local board of social services when receiving a report by the director of the county department of social services on the activities of the Community Child Protection Team.

This does not preclude any agency representative from sharing with his agency, on a need to know basis, information acquired at a Community Child Protection Team meeting regarding a current client or referred case.

(e) An individual may receive approval to conduct a study of the cases reviewed by the Community Child Protection Teams. Such approval must be requested in writing of the Director of the Division of Social Services. The written request shall specify and be approved on the basis of:

- (1) an explanation of how the findings of the study have potential for expanding knowledge and improving professional practices in the area of prevention, identification and treatment of child abuse, neglect, dependency, or child fatalities;
- (2) a description of how the study will be conducted and how the findings will be used;
- (3) a presentation of the individual's credentials in the area of critical investigation;
- (4) a description of how the individual will safeguard confidential information; and
- (5) an assurance that no report will contain the names of children and families or any other information that makes children and families identifiable.

Access will be denied when, in the judgment of the director, the study will have minimal impact on either knowledge or practice.

History Note: Authority G.S. 7A-544; 7A-675; 108A-80; 143-578; 143B-153; Temporary Adoption Eff. July 10, 1991, For a Period of 180 Days to Expire on January 5, 1992; Eff. December 1, 1991; Amended Eff. September 1, 1994; July 1, 1993; June 1, 1992; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3, 2017.