

10A NCAC 71A .0806 ADULT PROTECTIVE SERVICES REGISTER

(a) Information submitted by county departments of social services to the Adult Protective Services Register is confidential. Non-identifying statistical information and general information about the scope, nature and extent of adult abuse, neglect and exploitation in North Carolina is not subject to this Rule of confidentiality.

(b) Access to the Adult Protective Services Register is restricted to:

- (1) the county department of social services,
 - (A) in order to identify whether an adult who is the subject of an Adult Protective Services evaluation has been previously reported and evaluated under G.S. 108A, Article 6 in any county in the state; or
 - (B) in order to share client specific information with an out-of-state protective services agency to assure that protective services will be made available to an adult previously served in North Carolina as quickly as possible for the purpose of preventing further abuse, neglect or exploitation; or
 - (C) in order to share client specific information with law enforcement agencies to assure that protective services will be made available to an adult as quickly as possible;
- (2) the Division of Social Services staff,
 - (A) in order to perform duties pertinent to managing and maintaining the Register and monitoring, auditing, evaluating or facilitating the administration of other state and federal programs regarding Adult Protective Services based on information in the Register, or
 - (B) in order to share client specific information with an out-of-state protective services agency to assure that protective services will be made available to an adult previously served in North Carolina as quickly as possible for the purpose of preventing further abuse, neglect or exploitation; and
- (3) individuals who receive approval to conduct studies of cases in the Adult Protective Services Register.
 - (A) Such approval must be requested in writing to the Director, Division of Social Services. The written request will specify and be approved on the basis of:
 - (i) 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 adult abuse, neglect and exploitation;
 - (ii) a description of how the study will be conducted and how the findings will be used;
 - (iii) a presentation of the individual's credentials; and
 - (iv) a description of how the individual will safeguard the information.
 - (B) 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. 108A-80; 108A-103; 143B-153;
Eff. March 1, 1993;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.