

**§ 108A-118.7. Case Review Multidisciplinary Team; confidentiality of records and information; rules.**

(a) All information and records acquired or generated by a Case Review Multidisciplinary Team during its existence and in the exercise of its duties are confidential and may be disclosed only as necessary to carry out the purposes of the Case Review Multidisciplinary Team as described in this Article or as otherwise permitted by State or federal law. This subsection does not preclude a court of competent jurisdiction from compelling the disclosure of any information or records acquired or generated by a Case Review Multidisciplinary Team if, in the court's opinion, disclosure is necessary to a proper administration of justice and disclosure is not otherwise prohibited by State or federal law.

(b) Notwithstanding subsection (a) of this section, information generated in a meeting of a Case Review Multidisciplinary Team may be disclosed as provided in this subsection in any of the following circumstances:

- (1) To a local board of county commissioners when the Case Review Multidisciplinary Team makes its annual recommendations, if any, pursuant to G.S. 108A-118.3(2); provided that such recommendations shall not identify or reveal any confidential information about individual adult protective services cases reviewed by the Case Review Multidisciplinary Team.
- (2) To a local board of social services by the director of the local department of social services when reporting on the activities of the Case Review Multidisciplinary Team; provided that such reports shall not identify or reveal any confidential information about individual adult protective services cases reviewed by the Case Review Multidisciplinary Team.
- (3) By a member of the Case Review Multidisciplinary Team to the member's agency or organization as needed to provide or arrange services for a disabled adult or older adult.

(c) Each member of a Case Review Multidisciplinary Team is required to sign a statement indicating an understanding of and adherence to the confidentiality requirements of this section, including the consequences of any breach of confidentiality. The chair shall submit a recommendation, in writing, to the appropriate appointing authority for the removal of any member who fails to (i) sign the statement required by this subsection or (ii) comply with the confidentiality requirements of this section.

(d) The local department of social services shall make an entry in the disabled adult's or older adult's protective services record at the time it is selected for review by a Case Review Multidisciplinary Team to indicate that it was selected for review. Additional entry into the record shall be at the discretion of the director of the local department of social services.

(e) Nothing in this Article shall be construed to prohibit a Case Review Multidisciplinary Team from sharing or accessing confidential information and records as permitted or required by applicable State or federal law, including any law that permits the disclosure of confidential information pursuant to the informed consent of a disabled adult or older adult or the authorized representative of a disabled adult or older adult.

(f) The Social Services Commission may adopt rules consistent with this Article to establish protocols for reviews conducted by Case Review Multidisciplinary Teams. (2025-23, s. 1.)