

1 10A NCAC 23H .0106 is proposed for reoption without substantive changes as follows:

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3 **10A NCAC 23H .0106 LIABILITY OF PERSONS WITH ACCESS**

4 (a) Failure to comply with the rules in this Subchapter ~~may constitute a misdemeanor and be punishable by fine or~~
5 ~~imprisonment as provided by~~ is unlawful pursuant to North Carolina General Statute G.S. 108A-80.

6 (b) Individuals employed by the Division and county departments of social services ~~agency~~ and governed by the State
7 Personnel Act are subject to suspension, ~~dismissal,~~ dismissal or disciplinary action for failure to comply with these
8 Rules.

9 (c) Individuals other than ~~employees,~~ employees ~~but~~ including volunteers and students who are agents of the
10 Department of Health and Human Services and who have access to client information, ~~information~~ shall be liable in
11 the same manner as employees.

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13 *History Note: Authority G.S. 108A-54; 108A-54.1B; 108A-80; 42 C.F.R. 431, Subpart F; 431.304;*

14 *Eff. September 1, 1984;*

15 *Amended Eff. August 1, 1990;*

16 *Transferred from 10A NCAC 21A .0406 Eff. May 1, 2012; ~~2012~~.*

17 *Readopted Eff. May 1, 2019.*

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