

1 10A NCAC 23H .0107 is proposed for readoption without substantive changes as follows:

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3 **10A NCAC 23H .0107 RIGHT OF ACCESS**

4 (a) An individual has the right to obtain ~~data~~ information about his or her own case. Upon written or verbal request,  
5 ~~request~~ the client shall be able to review or obtain without charge a copy of the information in his or her records with  
6 the following exceptions:

7 (1) Information that the agency is required to keep confidential by State ~~state~~ or federal statutes, rules,  
8 ~~statutes~~ or regulations;

9 (2) Confidential information originating from another agency as ~~provided set forth for~~ in Rule .0104 of  
10 this Section.

11 (3) Information that would breach another individual's right to confidentiality under State or federal  
12 statutes, rules, or regulations as determined by the Division or the county department of social  
13 services, confidentiality.

14 (b) The agency shall provide access ~~as promptly as feasible but not more than~~ within five business days. ~~working~~  
15 ~~days after receipt of the request.~~

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17 *History Note: Authority G.S. 108A-54; 108A-54.1B; 108A-80; 42 C.F.R. 431.306;*

18 *Eff. September 1, 1984;*

19 *Transferred from 10A NCAC 21A .0407 Eff. May 1, 2012; ~~2012~~.*

20 *Readopted Eff. May 1, 2019.*

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