

1 10A NCAC 23H .0109 is proposed for readoption without substantive changes as follows:

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3 **10A NCAC 23H .0109 PROCEDURE FOR REVIEW OF RECORDS**

4 (a) The director or his or her delegated representative shall be present when the client reviews the record. The director
5 or his or her delegated representative ~~must~~ shall document in the client record the review of the record by the client.

6 (b) A client may contest the accuracy, completeness, ~~completeness~~ or relevancy of the information in his or her record.

7 Correction of the contested information, but not the deletion of the original information if the Division or county

8 department of social services determines it is required by federal statute or regulation to support receipt of State state

9 or federal participation, shall be inserted in the record when the director or his or her delegated representative concurs

10 that such correction is justified. When the director or his or her delegated representative does not concur, the client

11 shall be allowed to enter a statement in the record. ~~Such corrections and statements shall be made a permanent part~~

12 ~~of the record and shall be disclosed to any recipient of the disputed information.~~ If a delegated representative decides

13 not to correct contested information, the decision not to correct shall be reviewed by the supervisor of the person

14 making the initial decision. All corrections and statements shall be made a permanent part of the record and shall be

15 disclosed to any recipient of the disputed information.

16 (c) Upon written request from the client, his or her personal representative, including an attorney, may have access to

17 review or obtain without charge, a copy of the information in his or her record. The client may permit the personal

18 representative to have access to his or her entire record or may restrict access to certain portions of the record. Rules

19 .0107 and .0108 of this Section shall apply.

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21 *History Note: Authority G.S. 108A-54; 108A-54.1B; 108A-80;*

22 *Eff. September 1, 1984;*

23 *Transferred from 10A NCAC 21A .0409 Eff. May 1, 2012; ~~2012~~.*

24 *Readopted Eff. May 1, 2019.*

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