

Disclosure of Information Regarding Social Services Cases Involving Child Abuse, Neglect, or Dependency*

Statute or Rule	What Information Is Confidential Under or Subject to the Rule?	Who May or Must Disclose?	When Is Disclosure Required?	When Is Disclosure Allowed?*
GS 7B-302(a) GS 7B-2901(b) 10A NCAC 70A.0112 10A NCAC 70A.0113	<p>1. All information received by the county DSS in connection with the screening or assessment of reports regarding abused, neglected, or dependent juveniles (including the identity of the reporter).</p> <p>2. All information received by the county DSS in connection with the provision of protective services to abused, neglected, or dependent juveniles and their families.</p> <p>3. All information received by the county DSS regarding juveniles under protective custody of the county DSS or placement by the juvenile court, including intake and screening form, notices to the reporter, results of central registry check, documentation of the assessment and case decision, report to central registry, family risk and safety assessments, safety response plan, family case services plans, juvenile petitions and court reports, child medical evaluations and child mental health evaluations, notifications to prosecutors, law enforcement agencies, and licensing agencies, documentation of services provided to the family, etc.</p>	County DSS director and staff.	<p>1. To federal or state agencies for program audit or review.</p> <p>2. Pursuant to court order.</p> <p>3. To the juvenile or the juvenile's attorney.</p> <p>4. To the juvenile's guardian ad litem.</p> <p>5. To federal, state, or local government agencies that need information to protect a juvenile from abuse or neglect.</p> <p>6. As otherwise required by applicable state or federal law (see below).</p>	<p>1. To the extent necessary to perform county DSS responsibilities related to abused, neglected, or dependent juveniles.</p> <p>2. To public or private agencies to the extent necessary to facilitate or provide protective services to juvenile.</p> <p>3. With the consent of the person (other than the juvenile) to whom the information pertains (or that person's legal representative).**</p> <p>4. As otherwise allowed by applicable state or federal law (see below).</p>
GS 7B-302(a)	Information subject to GS 7B-302(a) or GS 7B-2901(b) (see above) that is disclosed to federal, state, or local government agencies under GS 7B-302(a).	Federal, state, or local government agencies that receive information under GS 7B-302(a).		To the extent necessary to carry out mandated responsibilities regarding juvenile abuse or neglect.

* This table focuses primarily on the disclosure or redisclosure of confidential information *by* the county DSS and the redisclosure by others of confidential information received from the county DSS in cases involving abused, neglected, or dependent children. It does not address the county DSS's ability to *obtain* confidential information from others in child welfare cases.

* Disclosure is not allowed if disclosure is prohibited by another applicable state or federal law.

** Although the statute and rules do not explicitly allow disclosure, disclosure may be implicitly allowed.

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10A NCAC 70A.0113	Information subject to GS 7B-302(a) or GS 7B-2901(b) (see above) that is provided to public or private agencies under 10A NCAC 70A.0113(b).	Public or private agencies that receive information from county DSS.		To the extent necessary to facilitate or provide protective services to juvenile.
GS 7B-3100 28 NCAC 01A.0301 28 NCAC 01A.0302	Any information in possession of county DSS that is relevant to the assessment of a report of child abuse, neglect, or dependency, to the provision or arrangement of protective services in a child abuse, neglect, or dependency case, or to a juvenile court proceeding regarding an abused, neglected, dependent, undisciplined, or delinquent juvenile (including information subject to GS 7B-302(a) or GS 7B-2901(b) (see above)).	County DSS director, etc.	1. Upon request by DJJDP, AOC GAL, DA, law enforcement, local school administrative unit, local health or mental health departments, or other agencies specified in DJJDP rule, <i>when disclosure is necessary to protect the juvenile or others or to improve the juvenile's educational opportunities.</i> 2. Upon request by a local agency designated in an administrative order entered by the chief district court judge, <i>when disclosure is necessary to protect the juvenile or others or to improve the juvenile's educational opportunities.</i>	1. To DJJDP, AOC GAL, DA, law enforcement, local school administrative unit, local health or mental health departments, or other agencies specified in DJJDP rule if disclosure is necessary for legitimate purpose. 2. To a local agency designated in an administrative order entered by the chief district court judge, if disclosure is necessary for legitimate purpose.

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GS 7B-3100 28 NCAC 01A.0301 28 NCAC 01A.0302	Information received from county DSS under GS 7B-3100 (see above).	Agencies designated under 28 NCAC 01A.0301.	1. To the extent required under GS 7B-3100 (see above), when necessary to protect the juvenile or others or to improve the juvenile's educational opportunities. 2. To the extent required by FERPA (20 USC 1232g).	1. To the extent allowed under GS 7B-3100 (see above) if disclosure is necessary for legitimate purpose. 2. To the extent allowed by FERPA (20 USC 1232g).
10A NCAC 70E.0902	Information provided by county DSS to foster parents regarding juvenile placed in foster care.	Foster parents.		To extent allowed by county DSS.
GS 7B-301 GS 7B-307(c)	Information regarding sexual abuse of juvenile in a child care facility received by county DSS in connection with report or assessment of abused, neglected, or dependent juveniles.	County DSS director, etc.	To State Bureau of Investigation upon completion of assessment.	
GS 7B-307(a)	Report, evidence, and findings regarding abuse or neglect of juvenile in a child care facility.	County DSS director, etc.	To NC DHHS within 24 hrs or next working day after report.	
GS 7B-307(a) 10A NCAC 70A.0107	Evidence and findings regarding abuse of juvenile, including juvenile's name and address, name and address of parent or caretaker, name and address of perpetrator, plan for protecting juvenile, etc.	County DSS director, etc.	To district attorney and law enforcement agency within 48 hrs of report.	
GS 7B-307(a) 10A NCAC 70A.0107	Information that juvenile may have been physically harmed in violation of criminal statute by person other than parent, guardian, caretaker, or custodian, including juvenile's name and address, name and address of parent or caretaker, name and address of perpetrator, plan for protecting juvenile, etc.	County DSS director, etc.	To district attorney and law enforcement agency within 48 hrs of receipt of information.	

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GS 7B-302(f), (g) 10A NCAC 70A.0109	Decision regarding acceptance of report regarding abuse, neglect, or dependency, referral to law enforcement agency, finding of abuse, neglect, or dependency, action taken to protect juvenile, and decision regarding juvenile petition.	County DSS director, etc.	To person reporting abuse, neglect, or dependency within five working days after report or assessment.	
GS 7B-305 10A NCAC 70A.0113	Information regarding assessment of report regarding juvenile abuse, neglect, or dependency and decision not to file juvenile proceeding.	County DSS director, etc.	To district attorney if person who reported abuse, neglect, or dependency requests review of decision not to file juvenile proceeding.	
GS 7B-303(e)	Identity of persons making reports of child abuse, neglect, or dependency.	County DSS director, etc.	Pursuant to court order in hearing on petition alleging obstruction or interference with assessment of report of juvenile abuse, neglect, or dependency.	
GS 7B-601(c)	Any information (other than information protected by the attorney-client privilege) or reports that are relevant to a juvenile proceeding.	Any person, including DSS director, etc.	To juvenile's guardian ad litem, upon request.	
GS 7B-601(c)	Any confidential information or reports obtained by juvenile's guardian ad litem under GS 7B-601(c) (see above).	Guardian ad litem.		Only pursuant to court order or as otherwise allowed by law.
GS 7B-808	Predisposition reports prepared by county DSS in juvenile abuse, neglect, and dependency proceedings, including mental health evaluations under GS 7B-503, placement plan, and treatment plan.	County DSS director, etc.	To parties as provided by administrative order or local rules adopted by chief district court judge.	

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10A NCAC 70A.0107	Finding regarding juvenile abuse, neglect, or dependency.	County DSS director, etc.	To responsible individual and juvenile's parent, caretaker, or custodian.	
GS 7B-3100(b) GS 7B-3102	Information that would disclose identity of juvenile under investigation or alleged to be within jurisdiction of juvenile court.	Any person, including county DSS director, etc.		1. To the extent allowed by applicable state or federal law. 2. Publication of pictures of runaway children with parents' permission. 3. By DJJDP regarding juveniles who escape from custody of DJJDP.
GS 7B-311 GS 7B-307(c) 10A NCAC 70A.0102	Reports regarding child abuse, neglect, dependency, or fatalities resulting from alleged maltreatment.	County DSS director, etc.	To NC DSS Central Registry.	
GS 7B-311 10A NCAC 70A.0102	Information in NC DSS Central Registry regarding juvenile who has been abused, neglected, or maltreated.	NC DSS.		To county DSS director, upon request, in connection with assessment of report regarding juvenile abuse, neglect, or dependency.
GS 7B-311 10A NCAC 70A.0102	Information received from NC DSS Central Registry.	County DSS director, etc.		To law enforcement agency, licensed physician, or licensed physician extender to facilitate provision of protective services, etc.

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GS 7B-311 10A NCAC 70A.0102	Information received from NC DSS Central Registry.	Any person who receives information from central registry.		If authorized by 10A NCAC 70A.0102 (see above).
GS 7B-311 10A NCAC 70A.0102	Identity of individuals responsible for abuse or serious neglect of juveniles.	County DSS director, etc.	To NC DSS Responsible Individuals List.	
GS 7B-311 10A NCAC 70A.0102 10A NCAC 70A.0104	Identity of individuals responsible for abuse or serious neglect of juveniles.	NC DSS		To persons or entities specified in 10A NCAC 70A.0104, upon request, to determine individual's fitness to care for or adopt children.
GS 7B-1413 10A NCAC 70A.0203	Otherwise confidential social services records, mental health records, health records, medical examiner investigative data, police investigations data, medical records, hospital records, and other records.	County DSS (and other specified agencies).	To state and local child protection and child fatality teams, upon request.	
GS 7B-1413 10A NCAC 70A.0203	Any information (other than the identity of a person making a report of suspected juvenile abuse, neglect, or dependency) relevant to the work of a community child protection team.	Members of community child protection teams, including the DSS director & staff.		To the community child protection team.

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GS 7B-2902	Findings and information related to fatality or near fatality of a child (other than criminal investigative reports and criminal intelligence information of law enforcement agencies, confidential information in the possession of state or local child protection or child fatality teams, the identities of persons who provided information related to the child's suspected abuse, neglect, or maltreatment; or psychiatric, psychological, or therapeutic evaluations pertaining to the child or the child's family unless directly related to the cause of the child's death or near fatality), including written summary of actions taken or services rendered by agency following receipt of information regarding child's need for protection, including dates, outcomes, and results of such actions or services, results of any review of such actions or services by any public agency, and confirmation of receipt of all reports by county DSS for investigation of suspected abuse, neglect, or maltreatment of the child, including confirmation that investigation was conducted, results of investigation, description of investigation and services rendered, and basis for case decision.	Any public agency (other than district attorney), including county DSS.	Pursuant to court order or to any person, upon request, if an individual has been charged criminally with having caused the child's death or near fatality or the district attorney certifies that an individual would be so charged but for the individual's prior death, <i>and</i> agency (or court) determines that disclosure is not prohibited by applicable law, likely to harm child living in deceased or injured child's household, may undermine criminal investigation, may jeopardize prosecution, or may jeopardize individual's right to fair trial.	

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GS 108A-80 10A NCAC 69	Information contained in records of county DSS regarding persons who apply for or receive federal or state foster care and adoption assistance payments, other public assistance, or social services.	County DSS or any person.	If required by other applicable state or federal laws.	With consent, pursuant to court order, to facilitate the administration of other government programs, etc.
GS 131D-10.6C	State family foster and therapeutic foster home registry (name, address, and age of applicants for licensure as family foster homes or therapeutic foster homes, date of application, supervising agency, completion of mandated training, licensure status, date of initial licensure, current licensing period, adverse licensing actions, etc.)	NC DSS	Any person upon request.	
GS 131D-10.6C	Information regarding persons who apply for licensure or are licensed as family foster homes other than that contained in state family foster and therapeutic foster home registry (see above).	NC DSS and county DSS.	To the extent required under applicable federal or state law.	To the extent allowed under applicable federal or state law.
GS 7B-302(a) GS 7B-2901(b)	Information subject to GS 7B-302(a) or GS 7B-2901(b) (see above) that is disclosed to others by county DSS.	Persons who receive confidential child welfare information from county DSS.	To the extent required under applicable federal or state law.	Unless prohibited by applicable federal or state laws.