

PARTNERSHIP AND TECHNOLOGY HUB NORTH CAROLINA (PATH NC)

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| Purpose |
| <p>NCDHHS Division of Social Services recognizes the needs of the local county child welfare agencies to have a statewide child welfare information system that allows the counties to readily identify the status, demographic characteristics, location, and goals for the placement of every child while managing confidential information for children and families.</p> <p>The purpose of this document is to provide local county child welfare caseworkers with policy and guidance on the use of the Partnership and Technology Hub North Carolina (PATH NC) to ensure appropriate use. Federal and state laws require states to provide safeguards to restrict the use or disclosure of information concerning child welfare. See, 42 U.S.C. 671</p> |
| Legal Basis |
| <p>North Carolina General Statutes state that it is unlawful for any person to obtain, disclose or use, or authorize, permit, or acquiesce in the use of any information concerning individuals applying for or receiving public assistance or social services that may be directly or indirectly derived from the client's records, except for purposes directly connected with the administration of programs of public assistance and social services.</p> <p>§ 108A-80. Confidentiality of records.</p> <p>(a) Except as provided in subsections (b) and (b1) of this section, it shall be unlawful for any person to obtain, disclose or use, or to authorize, permit, or acquiesce in the use of any list of names or other information concerning persons...receiving...social services that may be directly or indirectly derived from the records, files or communications of the Department...except for the purposes directly connected with the administration of...social services in accordance with federal law, rules and regulations, and the rules of the Social Services Commission or the Department.</p> <p>§ 7B-2901. Confidentiality of records.</p> <p>(b) The Director of the Department of Social Services shall maintain a record of the cases of juveniles under protective custody by the Department or under placement by the court, which shall include family background information; reports of social, medical, psychiatric, or psychological information concerning a juvenile or the juvenile's family; interviews with the juvenile's family; or other information which the court finds should be protected from public inspection in the best interests of the juvenile.</p> <p>§ 7B-302. Assessment by director; military affiliation; access to confidential information; notification of person making the report.</p> <p>(a1) All information received by the department of social services, including the identity of the reporter, shall be held in strictest confidence by the department...</p> <p>§ 7B-311. Central registry: responsible individuals list.</p> <p>(c) It is unlawful for any public official or public employee to knowingly and willfully release information from either the central registry or the responsible individuals list to a person who is not authorized to receive the information. It is unlawful for any person who is authorized to receive information from the central registry or the responsible individuals list to release that information to an unauthorized person. It is unlawful for any</p> |

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person who is not authorized to receive information from the central registry or the responsible individuals list to access or attempt to access that information. A person who commits an offense described in this subsection is guilty of a Class 3 misdemeanor.

Please see the “Confidentiality” section of the Cross Function Manual for additional information.

Requirements for PATHNC Usage

- 1) Confidential information must only be accessed to accomplish the assigned job duties and responsibilities. The local county child welfare caseworker must not access electronic records out of curiosity or without a legitimate work-related purpose (i.e., accessing the record of a family member, friend, or well-known community member);
- 2) Confidential information must only be shared when authorized to do so and sharing must be limited to only what is necessary to accomplish the responsibilities, tasks, roles associated with the individual requesting the information. All applicable confidentiality, HIPPA laws, and policies must be followed when releasing confidential information and any reported concerns about breached information must be immediately reported to the supervisor.
- 3) Accurate records must be entered and maintained. This includes, but is not limited to:
 - Not signing in under another person’s name;
 - Not sharing passwords with anyone else;
 - Amending the case record only in accordance with applicable law and policy.
 - Not fabricating or falsifying documentation entered into the system; and
 - Retain documents and documentation in accordance with applicable law and policy.
- 4) The local county child welfare agency must cooperate with government inquiries, as well as internal and external audits and investigations.
- 5) Case information must be sent secured and encrypted.
- 6) County child welfare staff should consult with their attorney prior to responding to subpoenas. Staff should examine subpoenas, court orders and other requests for information from the client’s case record to protect client confidentiality. Court orders and/or subpoenas are acceptable only if signed by a judge.

Failure to adhere to the PATH NC requirements for usage is considered a violation and grounds for disciplinary action by the employing agency, up to and including dismissal. Violations may also result in civil and criminal prosecution.