

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009**

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**SENATE BILL 628**

Short Title: Release Contr. Subst. Rep. Data To CME. (Public)

Sponsors: Senators Purcell; and Atwater.

Referred to: Health Care.

March 17, 2009

1 A BILL TO BE ENTITLED  
2 AN ACT TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES  
3 TO RELEASE CONFIDENTIAL DATA IN THE CONTROLLED SUBSTANCES  
4 REPORTING SYSTEM TO THE CHIEF MEDICAL EXAMINER AND COUNTY  
5 MEDICAL EXAMINERS FOR THE PURPOSE OF INVESTIGATING DEATHS.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 90-113.74(c) reads as rewritten:

8 "(c) The Department shall release data in the controlled substances reporting system to  
9 the following persons only:

- 10 (1) Persons authorized to prescribe or dispense controlled substances for the  
11 purpose of providing medical or pharmaceutical care for their patients.  
12 (2) An individual who requests the individual's own controlled substances  
13 reporting system information.  
14 (3) Special agents of the North Carolina State Bureau of Investigation who are  
15 assigned to the Diversion & Environmental Crimes Unit and whose primary  
16 duties involve the investigation of diversion and illegal use of prescription  
17 medication and who are engaged in a bona fide specific investigation related  
18 to enforcement of laws governing licit drugs. The SBI shall notify the Office  
19 of the Attorney General of North Carolina of each request for inspection of  
20 records maintained by the Department.  
21 (4) Primary monitoring authorities for other states pursuant to a specific ongoing  
22 investigation involving a designated person, if information concerns the  
23 dispensing of a Schedule II through V controlled substance to an ultimate  
24 user who resides in the other state or the dispensing of a Schedule II through  
25 V controlled substance prescribed by a licensed health care practitioner  
26 whose principal place of business is located in the other state.  
27 (5) To a court pursuant to a lawful court order in a criminal action.  
28 (6) The Division of Medical Assistance for purposes of administering the State  
29 Medical Assistance Plan.  
30 (7) Licensing boards with jurisdiction over health care disciplines pursuant to an  
31 ongoing investigation by the licensing board of a specific individual licensed  
32 by the board.  
33 (8) Any county medical examiner appointed by the Chief Medical Examiner  
34 pursuant to G.S. 130A-382 and the Chief Medical Examiner, for the purpose  
35 of investigating the death of an individual."

36 **SECTION 2.** This act is effective when it becomes law.

