

SECTION 100: LEGAL BASIS

REVISED: 04/01/2006

LEGAL BASIS

The State of North Carolina has established a register of the blind in accordance with Chapter 111, Article 4 of the General Statutes of North Carolina on Social Services and Related Laws which states:

It shall be the duty of the Department of Health and Human Services to cause to be maintained a complete register of the blind in the State of North Carolina, which shall describe the condition, cause of blindness, capacity for education and industrial training of each, with such other facts as may seem to the Department of Health and Human Services to be of value.

The State of North Carolina has established a system of reporting blindness to the Department of Health and Human Services in accordance with Chapter 111, Article 8.1 which states:

Whenever, upon examination at a clinic, hospital, or other institution, or elsewhere by a physician, optometrist, or other person examining eyes any person is found to have no vision or vision with glasses which is so defective as to prevent the performance of ordinary activities for which eyesight is essential, the physician, the superintendent of such institution or other person who conducted or was in charge of the examination shall within 30 days report the results of the examination to the Department of Health and Human Services.

The State of North Carolina has established a system of confidentiality in accordance with Chapter 111, Article 28 which states:

It shall be unlawful, except for purposes directly connected with the administration of aid to the needy blind and in accordance with the rules and regulations of the Department of Human Resources, for any person or persons to solicit, disclose, receive, make use of, or to authorize, knowingly permit, participate in, acquiesce in the use of, any list of or name of, or any information concerning, persons applying for or receiving aid to the needy blind, directly or indirectly derived from the records, papers, files, or communications of the Department of Health and Human Services, or the board of county commissioners or the county social services department, or acquired in the course of the performance of official duties.

Notwithstanding the above, the Department of Health and Human Services is authorized to release to the North Carolina Department of Motor Vehicles and the North Carolina Department of Revenue the name and medical records of any person listed in the register of the blind in this State maintained under the provisions of G.S. 111-4. All information and documents released to the Department of Motor Vehicles and the Department of Revenue shall be treated by those departments as confidential for their use only and shall not be released by them to any person for commercial or political purposes or for any purpose not directly connected with the administration of Chapters 20 and 105 of the General Statutes of this State.

By maintaining a register of the blind in the State of North Carolina, it has been possible to plan and develop a model program that has been used extensively throughout the US.

