



The Daily Bulletin: 2022-06-09

PUBLIC/HOUSE BILLS

H 169 (2021) [STATE HEALTH PLAN DATA TRANSPARENCY.-AB](#) Filed Feb 25 2021, *AN ACT ALLOWING THE NORTH CAROLINA STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES TO ACCESS AND UTILIZE ITS OWN CLAIMS PAYMENT DATA WHILE CONTINUING TO PROTECT THE CONFIDENTIALITY OF THE INFORMATION.*

Senate committee substitute to the 2nd edition makes the following changes. Amends GS 135-48.1, by amending the definition of the term *Claim Payment Data* to now define it as the data fields within a Claims Data Feed that reflect the provider and the amount the provider billed for services provided to a Plan member, the allowed amount applied to the claim by the Claim Processor, and the amount paid by the State Health Plan for Teachers and State Employees (Plan) on the claim (no longer includes the rate negotiated with, or agreed to by, the provider). Adds and defines the term *non-contracted third party* as a legal entity or individual that submits a claim for payment to a Claims Processor for items or services rendered to a Plan member that (1) has no direct contractual relationship with the Claims Processor that would govern the process and payment of the claim and (2) did not submit the claim directly to the Claims Processor for processing and payment.

Amends GS 135-48.32 as follows. Deletes the proposed changes in subsection (b) and instead provides as follows. Requires that the Claims Data Feed provided by each Claims Processor to the Plan include the Claim Payment Data on a member level. Deletes the provision that specified that the Claims Processor was not required to disclose Claim Payment Data that reflects rates negotiated with or agreed to by a noncontracted third party but allowed, upon request, providing the Plan with sufficient documentation to support the payment of claims for which the Claim Payment Data is withheld. Adds instead that a Claims Processor must also, upon request, provide the Plan with Claim Payment Data that reflects rates negotiated with or agreed to by a Non-Contracted Third Party that is available to or can be obtained by the Claims Processor or sufficient documentation to support the payment of the claims. Allows a Claims Processor to supply Claim Payment data or documentation related to a Non-Contracted Third Party separately from the Claims Data Feed.

Amends subsection (d) of the statute as follows. No longer specifies that administering and operating the State Health Plan for Teachers and State Employees in accordance with the specified state laws is the sole reason for which the Plan may use and disclose Claim Payment Data. Deletes the proposed language that would have prohibited the Plan from making any use or disclosure of the Claim Payment data that would compromise the proprietary nature of the data, or as applicable, its status as a trade secret, or otherwise misappropriate the data.

Amends subsection (e) of the statute as follows. Removes the proposed language that prohibited the Plan from using a provider's Claim Payment Data to negotiate rates, fee schedules, or other master changes with that or any other provider. Maintains the deletion of current (e).

Amends subsection (f) of the statute by removing the proposed changes and instead making the following changes. Allows the Plan to disclose Claim Payment Data to a third party to use on the Plan's behalf. Requires that before making the disclosure, the Plan must provide notice to the Claims Processor for each third party to whom the Plan seeks to disclose Claim Payment Data and for each use the third party will make of the data. Deletes the prohibition on disclosing Claim Payment Data to any third party without first entering into a contract with the third party that contains restrictions on the use and disclosure of the Data by the third party.

Amends subsection (g) of the statute by reinstating the existing language and adding that a Claims Processor who discloses Claim Payment Data in accordance with the statute is not subject to any monetary relief. Deletes the proposed civil penalty.

Adds a new provision specifying that the Plan and the Claims Processor who submitted the Claim Payment Data at issue are the only parties that have standing to initiate any civil or administrative proceeding to enforce this statute or to otherwise file a petition or complaint or initiate any cause of action seeking relief under this statute.

Changes the act's effective date to when it becomes law (was, January 1, 2022).

Intro. by Goodwin, Potts, Everitt, Dahle.

GS 135

[View summary](#)**Education, Government, State Government, State Personnel,
Health and Human Services, Health, Health Insurance**

H 615 (2021) **JORDAN'S LAW. (NEW)** Filed Apr 20 2021, *AN ACT TO ALLOW JUDGES TO TEMPORARILY RENEW A DOMESTIC VIOLENCE PROTECTIVE ORDER UPON THE TIMELY FILING OF A MOTION TO RENEW A DOMESTIC VIOLENCE PROTECTIVE ORDER AND TO AMEND THE REQUIREMENTS FOR CUSTODY MEDIATION.*

Senate amendment amends the 4th edition as follows.

Amends the proposed changes to GS 50B-3, authorizing the court to temporarily renew a domestic violence protective order set to expire before the hearing on the motion to renew the order, for a fixed time not to extend beyond the earlier of the date of the renewal hearing or 30 days from the date the order is set to expire, absent the express consent of both parties by adding that the motion to renew a protective order is upon the plaintiff's ex parte application. Adds that if a temporary renewal is granted, and the defendant is not personally present in court, then the order must be served on the defendant in the same manner as an ex parte order.

Intro. by Davis.

GS 50, GS 50B

[View summary](#)**Courts/Judiciary, Civil, Family Law, Court System**

PUBLIC/SENATE BILLS

S 372 (2021) **ELECTRICAL LIC./BLDG. CODE/DEV. REFORM 2022. (NEW)** Filed Mar 29 2021, *AN ACT TO MAKE VARIOUS CHANGES TO ELECTRICAL CONTRACTING LICENSES, WASTEWATER, SEDIMENTATION, AND BUILDING CODE LAWS.*

House amendments to the 3rd edition make the following changes.

Amendment #1 makes the following changes.

Section 2

Clarifies that 15A NCAC 18E .0101 through .1713, adopted by the NC Commission for Public Health on August 4, 2021, and approved by the Rules Review Commission on September 16, 2021, are effective on January 1, 2024 (was, do not become effective until January 1, 2024). Adds to the provision concerning 15A NCAC 1A .1934 through .1971 to provide that it refers to those rules as they were repealed by the North Carolina Commission for Public Health on August 4, 2021, and approved by the Rules Review Commission on September 16, 2021. Adds that they remain in effect until the 15A NCAC 18E rules referenced above become effective.

Section 4

Amends proposed GS 130A-335(a8) as follows. Clarifies that the provision applies to the Department's authorized agents (was, Department's agents). Expands upon the immunity to include (1) discharging and releasing the Department, the Department's authorized agents, and the local health departments from liabilities, duties, and responsibilities imposed by statute or in common law from any claims arising out of or attributed to evaluations, submittals, or actions from a licensed soil scientist or licensed geologist and (2) discharging and releasing the Department, the Department's authorized agents, and the local health departments, from liabilities, duties, and responsibilities imposed by statute or in common law from any claims arising out of or attributed to plans, evaluations, preconstruction conference findings, submittals, or actions from a licensed engineer or a person certified as an Authorized On-Site Wastewater Evaluator.

Section 6

Amends proposed GS 87-97(e2) by amending the conditions under which the local health department must not conduct a grouting inspection to also include when the well contractor gives verbal notice, in the alternative to written or electronic notice, of intent to grout to the local health department before 9:00 am on the date of grouting. Makes conforming changes.

Amendment #2 makes the following changes.

Section 5

Amends proposed GS 130A-335(a7) to replace the in-person preconstruction conference requirements with the requirement that the wastewater system contractor notify the local health department, or professional engineer or Authorized On-Site Wastewater Evaluator, before starting construction on the proposed wastewater system by telephone or electronic means. Specifies that the local health department, professional engineer, or Authorized On-Site Wastewater Evaluator retains the ability to delay construction until determination of site conditions.

Intro. by McInnis, Jarvis, Galey.

APPROP, STUDY, UNCODIFIED, Anson, GS 87, GS 130A, GS 143, GS 160D

[View summary](#)

Business and Commerce, Occupational Licensing, Development, Land Use and Housing, Building and Construction, Property and Housing, Government, Budget/Appropriations, State Agencies, UNC System, Department of Environmental Quality (formerly DENR), Department of Health and Human Services, Department of Insurance, Local Government, Health and Human Services, Health, Public Health, Public Enterprises and Utilities

ACTIONS ON BILLS

PUBLIC BILLS

H 144: MEDICAID CHILDREN AND FAMILIES SPECIALTY PLAN. (NEW)

Senate: Withdrawn From Com

Senate: Re-ref to Health Care. If fav, re-ref to Rules and Operations of the Senate

H 169: STATE HEALTH PLAN DATA TRANSPARENCY.-AB

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Rules and Operations of the Senate

H 219: AMEND ENVIRONMENTAL LAWS. (NEW)

House: Cal Pursuant 36(b)

House: Added to Calendar

House: Failed Concur In S Com Sub

House: Conf Com Appointed

House: Conferees Changed

H 315: ARSON LAW REVISIONS.

House: Withdrawn From Com

House: Added to Calendar

House: Concurred In S Com Sub

House: Ordered Enrolled

H 607: SUSPEND AUTOMATIC EXPUNCTION. (NEW)

House: Ref To Com On Rules, Calendar, and Operations of the House

H 615: JORDAN'S LAW. (NEW)

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Engrossed

H 731: ADD'L PATH TO NC EARLY CHILDHOOD CREDENTIAL. (NEW)

Senate: Regular Message Sent To House

House: Regular Message Received For Concurrence in S Com Sub

H 869: LRC STUDY/ORGANIZED RETAIL CRIME. (NEW)

Senate: Withdrawn From Com

Senate: Re-ref to Judiciary. If fav, re-ref to Rules and Operations of the Senate

H 992: OAH STAFFING FLEXIBILITY.

House: Withdrawn From Cal

House: Placed On Cal For 06/14/2022

H 1008: CLARIFY SEX OFFENDER REGISTRATION.

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: Ref To Com On Rules and Operations of the Senate

H 1046: EXPAND AVIATION SALES TAX EXEMPTION.

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: Ref To Com On Rules and Operations of the Senate

H 1068: UNC NON-APPROPRIATED CAPITAL PROJECTS. (NEW)

House: Passed 3rd Reading

H 1098: DISAPPROVE 18E RULES.

House: Withdrawn From Cal

House: Placed On Cal For 06/15/2022

House: Withdrawn From Cal

House: Placed On Cal For 06/14/2022

House: Withdrawn From Cal

LOCAL BILLS**H 1057: MITCHELL COUNTY OCCUPANCY TAX REVISION.**

House: Passed 3rd Reading

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