

§ 7B-524. Confidentiality of information and records.

(a) Except as otherwise provided in subsection (b) of this section, unless a parent consents to its release, an individual who takes an infant into temporary custody under this Article and any facility involved in the care of the infant at the time the infant is taken into temporary custody shall keep information regarding the surrendering parent's identity confidential.

(b) An individual taking an infant into temporary custody under this Article shall provide to the director of the department of social services any information known about the infant, the infant's parents, including their identity, any medical history, and the circumstances of surrender.

(c) All information about the surrendering parent's identity that is received or obtained by the department of social services shall not be disclosed except for (i) notice to local law enforcement pursuant to G.S. 7B-525(b)(3), (ii) contact with the non-surrendering parent, or (iii) as otherwise ordered by a court of this State.

(d) All information received by the department of social services related to the circumstances of the infant's safe surrender and the infant's condition shall be held in strictest confidence and shall not be disclosed except as provided in this section.

(1) The director may consult with and share information that the director determines is necessary or relevant to the case with (i) a health care provider that provided medical treatment to the safely surrendered infant before, at the time of, or after the safe surrender, (ii) a placement provider, including a foster care placement or pre-adoptive placement, for the infant, (iii) a court exercising jurisdiction over an adoption proceeding for the infant, and (iv) any agency that a court in an adoption proceeding requires to conduct a preplacement assessment, report to the court, or equivalent.

(2) A guardian ad litem appointed in a termination of parental rights proceeding resulting from the infant's safe surrender may examine and obtain written copies of the record.

(3) A district or superior court judge of this State presiding over a civil, criminal, or delinquency matter in which the department of social services is not a party may order the department to release confidential information after providing the department with reasonable notice and an opportunity to be heard and then determining that the information is relevant and necessary to the trial of the matter before the court and unavailable from any other source. The department of social services shall surrender the requested records to the court, which shall conduct an in-camera review prior to releasing the confidential records.

(e) This section shall not apply if the department determines the juvenile is not a safely surrendered infant or is the victim of a crime. (2023-14, s. 6.2(a).)