



CHAPTER 153A

ARTICLE 10 - LAW ENFORCEMENT AND CONFINEMENT FACILITIES

N.C.G.S. § 153A-222.

Inspections of local confinement facilities.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2022-74, s. 9K.1(a) — seventh act in the lineage	21 September 2026, 05:39 UTC	247cebf64e5a16398eed77b2 - 7e7f82b6050e09cd13027b81 - bf3bdf840fb9e9f0

§ 153A-222(a) Department personnel shall visit and inspect each local confinement facility at least semiannually. The purpose of the inspections is to investigate the conditions of confinement, the treatment of prisoners, the maintenance of entry level employment standards for jailers and supervisory and administrative personnel of local confinement facilities as provided for in G.S. 153A-216(4), and to determine whether the facilities meet the minimum standards published pursuant to G.S. 153A-221. The inspector shall make a written report of each inspection and submit it within 30 days after the day the inspection is completed to the governing body and other local officials responsible for the facility. The report shall specify each way in which the facility is alleged to be deficient.

§ 153A-222(b) Within 30 days of receiving the inspection report under subsection (a) of this section, the governing body shall consider the report and shall promptly (i) initiate any action necessary to bring the facility into conformity with the minimum standards published pursuant to G.S. 153A-221 or (ii) request a contested case hearing regarding any or all findings in the report pursuant to subsection (c) of this section.

§ 153A-222(c) A governing body, sheriff, or other administrator of a local confinement facility has a right to request a contested case hearing regarding any or all findings in the report pursuant to and in accordance with the provisions of Article 3 of Chapter 150B of the General Statutes. Appeals of any contested case hearing shall be conducted pursuant to Article 4 of Chapter 150B of the General Statutes.

§ 153A-222(d)

Notwithstanding the provisions of G.S. 8-53 or any other provision of law relating to the confidentiality of communications between physician and patient, the representatives of the Department of Health and Human Services who make inspections under this section may review any writing or other record in any recording medium which pertains to the admission, discharge, medication, treatment, medical condition, or history of persons who are or have been inmates of the facility being inspected. Physicians, psychologists, psychiatrists, nurses, and anyone else involved in giving treatment at or through a facility who may be interviewed by representatives of the Department may disclose to these representatives information related to an inquiry, notwithstanding the existence of the physician-patient privilege in G.S. 8-53 or any other rule of law; provided the inmate has not made written objection to such disclosure. The facility, its employees, and any person interviewed during these inspections shall be immune from liability for damages resulting from the disclosure of any information to the Department. Any confidential or privileged information received from review of records or interviews shall be kept confidential by the Department and not disclosed without written authorization of the inmate or legal representative, or unless disclosure is ordered by a court of competent jurisdiction. The Department shall institute appropriate policies and procedures to ensure that this information shall not be disclosed without authorization or court order. The Department shall not disclose the name of anyone who has furnished information concerning a facility without the consent of that person. Neither the names of persons furnishing information nor any confidential or privileged information obtained from records or interviews shall be considered "public records" within the meaning of G.S. 132-1. Prior to releasing any information or allowing any inspections referred to in this section, the inmate must be advised in writing of the inmate's right to object in writing to the release of information or review of the inmate's records, and that by objecting in writing the inmate may prohibit the inspection or release of the inmate's records.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
7 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.



Nº	YEAR	ACT	CHARACTER
01	1947	c. 915	ENACTED
02	1967	c. 581, s. 2	AMENDED
03	1973	c. 822, s. 1	AMENDED
04	1981	c. 586, s. 6	AMENDED
05	1983	c. 745, s. 7	AMENDED
06	1997	S.L. 1997-443, s. 11A.118(a)	AMENDED
07	2022	S.L. 2022-74, s. 9K.1(a)	AMENDED

APPARATUS II
5 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 153A-216(4)	(a)	"confinement facilities as provided for in"
G.S. 153A-221	(a)	"the minimum standards published pursuant to"
G.S. 153A-221 or (ii)	(b)	"the minimum standards published pursuant to"
G.S. 8-53	(d)	"Notwithstanding the provisions of"
G.S. 132-1	(d)	""public records" within the meaning of"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 153A-222 (2022).

PINPOINT

N.C. Gen. Stat. § 153A-222(a) (2022).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1947, c. 915; 1967, c. 581, s. 2; 1973, c. 822, s. 1; 1981, c. 586, s. 6; 1983, c. 745, s. 7; 1997-443, s. 11A.118(a); 2022-74, s. 9K.1(a).)

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