



Public Health
HEALTH AND HUMAN SERVICES

RICHARD O. BRAJER
Secretary

DANIEL STALEY
Director, Division of Public Health

July 28, 2016

To: Providers and Healthcare Facilities

From: Danny Staley, Division Director *Staley*

Subject: Maternal Mortality Review

In 2015, the North Carolina General Assembly passed the Women's and Children's Protection Act. Section 6. (a) amended Article 1B of Chapter 130A of the General Statutes by adding the establishment of a Maternal Mortality Review Committee (130 A-33.52) for the purposes of conducting multidisciplinary pregnancy-associated death reviews and developing recommendations for the prevention of future pregnancy-related deaths.

In order for the committee to make accurate determinations about causes of death and to identify opportunities for improvement, it is necessary to access the medical records of these decedents. The new statute mandates that "*Licensed healthcare providers, facilities, and pharmacies shall provide reasonable access to the committee to all relevant medical records associated with a case under review by the committee. A healthcare provider, facility, or pharmacy providing access to medical records pursuant to this Part shall not be held liable for civil damages or be subject to any criminal or disciplinary action for good faith efforts to provide such records.*"

The statute further provides that "members of the committee shall not be questioned in any civil or criminal proceeding regarding the information presented or opinions formed as a result of a meeting or communication of the committee." Thus, the proceedings of the committee are protected from discovery.

The committee members are appointed by the Secretary of the North Carolina Department of Health and Human Services. The Health Insurance Portability and Accountability Act (HIPAA) does not apply to these reviews because they are considered a public health surveillance activity by the State and subjects are deceased.



Department of Health and Human Services | Division of Public Health/Women's & Children's Health Section/Women's Health Branch
5601 Six Forks Road | 1929 Mail Service Center | Raleigh, NC 27699-1929
919 707 5700 T | 919 870 4827 F

All records will be de-identified before committee review and after the cases have been abstracted, no identifying information will be stored electronically. All records will be maintained either in a locked file cabinet within the Women's Health Branch of the Division of Public Health or on a secured, password protected computer with access being limited to key personnel working with the committee. Paper records will be destroyed after (5) years. All staff and committee members are prohibited by the statute from sharing any information about any of the decedents, their health care providers or facilities where they received care. Only aggregate data will be used in reports including the number and causes of death and opportunities for decreasing pregnancy-related mortality across the State.

The attached includes details on the decedent that has been identified from the 2015 State Death Certificate file as meeting criteria for committee review and received care in your facility or office. As required by legislation, please provide the requested medical record as described on the attachment.

This information should be sent either electronically or by mail to:

Jamila Turner Little (Jamila.little@dhhs.nc.gov)
Licensed Social Worker Consultant
Women's Health Branch
1929 Mail Service Center, Raleigh, NC 27699-1929
(919) 707-5709

Thanks in advance for your help in the important public health duty given to this committee. Should you have questions about this legislation, feel free to contact Belinda Pettiford, Women's Health Branch Head, at Belinda.pettiford@dhhs.nc.gov or at 919-707-5699.

Attachment

C: Belinda Pettiford

