§ 8-53.14. Communications between behavior analyst and client or patient.

No individual authorized as a licensed behavior analyst, or any of the individual's employees or associates, shall be required to disclose any information that the individual may have acquired in the practice of behavior analysis and which information was necessary to enable the individual to practice behavior analysis. Any resident or presiding judge in the district in which the action is pending may, subject to G.S. 8-53.6, compel disclosure, either at or before trial, if in the judge's opinion, disclosure is necessary to a proper administration of justice. If the case is in district court, the judge shall be a district court judge, and if the case is in superior court, the judge shall be a superior court judge.

Notwithstanding the provisions of this section, the behavior analyst-client or behavior analyst-patient privilege shall not be grounds for failure to report suspected child abuse or neglect to the appropriate county department of social services or for failure to report a disabled adult suspected to be in need of protective services to the appropriate county department of social services. Notwithstanding the provisions of this section, the behavior analyst-client or behavior analyst-patient privilege shall not be grounds for excluding any evidence of abuse, neglect, illness, or injuries of a child or for excluding any evidence regarding the abuse, neglect, exploitation, illness, or injuries of a disabled adult in any judicial proceeding related to a report pursuant to Article 3 of Chapter 7B of the General Statutes. (2021-22, s. 3.)