

GENERAL ASSEMBLY OF NORTH CAROLINA  
1987 SESSION

CHAPTER 682  
HOUSE BILL 663

AN ACT TO PROVIDE QUALIFIED IMMUNITY FROM CIVIL LIABILITY FOR  
LIBEL FOR MEMBERS OF NURSING HOME ADVISORY COMMITTEES  
AND DOMICILIARY HOME ADVISORY COMMITTEES .

The General Assembly of North Carolina enacts:

Section 1. G.S. 131E-128 is amended by adding a new subsection to read:

"(i) Any written communication made by a member of a nursing home advisory committee within the course and scope of the member's duties, as specified in G.S. 131E-128, shall be privileged to the extent provided in this subsection. This privilege shall be a defense in a cause of action for libel if the member was acting in good faith and the statements or communications do not amount to intentional wrongdoing.

To the extent that any nursing home advisory committee or any member thereof is covered by liability insurance, that committee or member shall be deemed to have waived the qualified immunity herein to the extent of indemnification by insurance."

Sec. 2. G.S. 131D-31 is amended by adding a new subsection to read:

"(i) Any written communication made by a member of a domiciliary home advisory committee within the course and scope of the member's duties, as specified in G.S. 131D-32, shall be privileged to the extent provided in this subsection. This privilege shall be a defense in a cause of action for libel if the member was acting in good faith and the statements and communications do not amount to intentional wrongdoing.

To the extent that any domiciliary home advisory committee or any member thereof is covered by liability insurance, that committee or member shall be deemed to have waived the qualified immunity herein to the extent of indemnification by insurance."

Sec. 3. This act shall become effective October 1, 1987.

In the General Assembly read three times and ratified this the 27th day of July, 1987.