

GENERAL ASSEMBLY OF NORTH CAROLINA
1993 SESSION

CHAPTER 403
SENATE BILL 549

AN ACT TO PROVIDE THAT THE DEPARTMENT OF JUSTICE MAY PROVIDE CRIMINAL RECORD CHECKS TO HOSPITALS, NURSING HOMES, AND AREA MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE AUTHORITIES AND THEIR CONTRACT AGENCIES.

The General Assembly of North Carolina enacts:

Section 1. Article 4 of Chapter 114 of the General Statutes is amended by adding a new section to read:

"§ 114-19.3. Criminal record checks of personnel of hospitals, nursing homes, and area mental health, developmental disabilities, and substance abuse authorities and their contract agencies.

The Department of Justice may provide a criminal record check to a hospital or nursing home licensed under Chapter 131E of the General Statutes and to a hospital or an area mental health, developmental disabilities, and substance abuse authority licensed under Chapter 122C of the General Statutes, including a contract agency of an area authority that is subject to the provisions of Article 4 of Chapter 122C of the General Statutes, of an individual who is employed by the hospital, nursing home, area authority, or contract agency or of an individual who has applied for employment with the hospital, nursing home, area authority, or contract agency if the employee or applicant consents to the record check. The information shall be kept confidential by the hospital, nursing home, area authority, or contract agency that received the information. Upon the disclosure of confidential information under this section by a hospital, nursing home, area authority, or contract agency, the Department may refuse to provide further criminal record checks to the hospital, nursing home, area authority, or contract agency. The Department shall charge a fee of ten dollars (\$10.00) for conducting a criminal record check under this section."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 19th day of July, 1993.

Dennis A. Wicker
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives