

GENERAL ASSEMBLY OF NORTH CAROLINA
1993 SESSION

CHAPTER 715
HOUSE BILL 613

AN ACT TO ALLOW HEALTH CARE FACILITIES TO FURNISH PUBLIC
HEALTH AUTHORITIES WITH PATIENT RECORDS UNDER CERTAIN
CIRCUMSTANCES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 130A-5(2) reads as rewritten:

"(2) To investigate the causes of epidemics and of infectious, communicable and other diseases affecting the public health in order to control and prevent these diseases; to provide, under the rules of the Commission, for the prevention, detection, reporting and control of communicable, infectious or any other diseases or health hazards considered harmful to the public ~~health—health;~~ to obtain, notwithstanding the provisions of G.S. 8-53, a copy or a summary of pertinent portions of privileged patient medical records deemed necessary ~~by joint agreement of the attending physician and a Department physician~~ for investigating a disease or health hazard that may present a clear danger to the public health. Records shall be identified as necessary by joint agreement of a Department physician and the patient's attending physician. However, if the Department is unable to contact the attending physician after reasonable attempts to do so, or if the Department determines that contacting all attending physicians of patients involved in an investigation would be impractical or would unreasonably delay the inquiry and thereby endanger the public health, the records shall be identified as necessary by joint agreement of a Department physician and the health care facility's chief of staff. For a facility with no chief of staff, the facility's chief administrator may consent to the Department's review of the records. Any ~~physician~~ person, authorized to have or handle such records, providing copies or summaries of privileged patient medical records pursuant to this subdivision shall be immune from civil or criminal liability that might otherwise be incurred or imposed based upon invasion of privacy or breach of physician-patient confidentiality arising out of the furnishing of or agreement to furnish such records;".

Sec. 2. This act is effective upon ratification.

1994. In the General Assembly read three times and ratified this the 7th day of July,

Dennis A. Wicker
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives