

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 1172
Second Edition Engrossed 5/6/93
Senate Judiciary II Committee Substitute Adopted 7/14/93

Short Title: Health Care Samaritans.

(Public)

Sponsors:

Referred to:

April 19, 1993

A BILL TO BE ENTITLED

1 AN ACT TO EXTEND THE QUALIFIED TORT LIABILITY PROTECTION FOR
2 HEALTH CARE PERSONNEL TO INCLUDE MEDICAL SERVICES
3 RENDERED BY HEALTH CARE PERSONNEL WITHOUT COMPENSATION
4 AT THEIR PLACE OF EMPLOYMENT TO A PATIENT.
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6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 90-21.14(a1) reads as rewritten:

8 "(a1) ~~Any~~ (1) Any volunteer medical or health care provider at a
9 facility of a local health department or at a nonprofit
10 community health ~~center~~ center; or

11 (2) Any volunteer medical or health care provider rendering
12 services to a patient referred by a local health department as
13 defined in G.S. 130A-2(5) or nonprofit community health
14 center at the provider's place of employment,

15 who receives no compensation for medical services rendered at the facility or center or,
16 who neither charges nor receives a fee for medical services rendered to the patient
17 referred by a local health department or nonprofit community health center at the
18 provider's place of employment shall not be liable for damages for injuries or death
19 alleged to have occurred by reason of an act or omission in the rendering of the services
20 unless it is established that the injuries or death were caused by gross negligence,
21 wanton conduct, or intentional wrongdoing on the part of the person rendering the

1 services. The local health department facility or nonprofit community health center
2 shall use due care in the selection of volunteer medical or health care providers, and this
3 subsection shall not excuse the health department facility or community health center
4 for the failure of the volunteer medical or health care provider to use ordinary care in
5 the provision of medical services to its patients."

6 Sec. 2. This act is effective upon ratification.