

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 1821

Short Title: Birth Defects Registry §.

(Public)

Sponsors: Representatives H. Hunter; Adams, Kennedy, and Wainwright.

Referred to: Children, Youth and Families.

May 30, 1994

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR THE ESTABLISHMENT OF A BIRTH DEFECTS REGISTRY IN THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES.

The General Assembly of North Carolina enacts:

Section 1. Article 5 of Chapter 130A is amended by adding the following new Part to read:

"PART 7. BIRTH DEFECTS.

"§ 130A-131.16. Birth defects registry established.

(a) There is established within the Department a birth defects registry. The registry shall compile, tabulate, and publish information related to the incidence and prevention of birth defects. The registry shall also perform the following functions:

(1) Surveillance;

(2) Research into the etiology, risk factors, and prevention of birth defects;
and

(3) Identification of children in need of follow-up care and evaluation.

(b) Personnel of the birth defects registry are authorized, and physicians and persons in charge of medical facilities shall, upon request of birth defects registry personnel, permit such personnel to examine and review medical records in their possession or under their control and to obtain a copy of any part of a medical record that pertains to the diagnosis of birth defects.

(c) A physician or person in charge of a medical facility who permits examination, review, or copying of medical records pursuant to this section shall be immune from civil or criminal liability that might otherwise be incurred or imposed for

1 providing access to the medical records on the basis of invasion of privacy or breach of
2 physician-patient confidentiality.

3 (d) Medical records of individual patients maintained by the birth defects registry
4 shall be confidential and shall not be public records open to inspection. The
5 Commission shall adopt rules governing the use of medical records for medical
6 research."

7 Sec. 2. There is appropriated from the General Fund to the Department of
8 Environment, Health, and Natural Resources the sum of forty-three thousand dollars
9 (\$43,000) for the 1994-95 fiscal year to staff the birth defects registry established under
10 this act.

11 Sec. 3. This act becomes effective July 1, 1994.