

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 613

Short Title: Patient Records/EHNR Investigation.

(Public)

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Sponsors: Representatives Kuczmariski; Alexander, Fussell, Gamble, Gottovi, Green, Hensley, Oldham, Smith and Wright.

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Referred to: Health and Human Services.

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March 29, 1993

A BILL TO BE ENTITLED

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 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 either the patient's attending physician or the health care facility's chief of staff. For a facility with no chief of staff, the attending physician or the facility's chief administrator may consent to the Department's review of the records. Any ~~physician~~ person providing copies or summaries of privileged patient medical records pursuant to this subdivision shall be immune

1                   from civil or criminal liability that might otherwise be incurred or  
2                   imposed based upon invasion of privacy or breach of physician-patient  
3                   confidentiality arising out of the furnishing of or agreement to furnish  
4                   such records;"

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