

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 795

Short Title: Amend "Runners" Law.

(Public)

Sponsors: Representatives G. Miller; and Lemmond.

Referred to: Judiciary I.

April 8, 1993

A BILL TO BE ENTITLED

AN ACT TO AMEND THE LAW PERTAINING TO THE PROHIBITION OF
CERTAIN SOLICITATION BY HEALTH CARE PROVIDERS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 90-401 reads as rewritten:

"§ 90-401. Runners prohibited.

A health care provider shall not financially compensate in any manner a person, firm, or corporation for initiating direct personal contact with a person injured in a motor vehicle collision or with any other person residing in the injured person's household if the contact is initiated within 90 days following the collision and the person, firm, or corporation initiating the contact recommends the services of the health care provider or otherwise attempts to induce or persuade the injured person to become a patient of the health care provider. ~~recommending or securing the health care provider's employment by a patient, or as a reward for having made a recommendation resulting in the health care provider's employment by a patient.~~ This provision ~~section~~ shall not be construed to prohibit a health care provider's purchase of advertising which does not entail direct personal contact or telephone solicitation of individuals injured in motor vehicle collisions. ~~from a bona fide mass media outlet."~~

Sec. 2. Article 27 of Chapter 90 of the General Statutes is amended by adding the following new section to read:

"§ 90-401.1. Direct solicitation prohibited.

It shall be unlawful for a health care provider or the provider's employee or agent to initiate direct personal contact or telephone contact with any person who has been injured in a motor vehicle collision, or with any other person residing in the injured

1 person's household, for a period of 90 days following the collision, if the purpose of
2 initiating the contact, in whole or in part, is to attempt to induce or persuade the injured
3 person to become a patient of the health care provider. This section shall not be
4 construed to prohibit a health care provider's use of posted letters, brochures, or
5 information packages to solicit persons injured in motor vehicle collisions, so long as
6 such use does not entail direct personal contact of the injured person."

7 Sec. 3. This act is effective upon ratification.