

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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HOUSE BILL 1765

Short Title: Study Commission/Promoting Patient Safety. (Public)

Sponsors: Representatives L. Allen, England (Primary Sponsors); Alexander, B. Allen, Dickson, Glazier, McGee, Ross, and Weiss.

Referred to: Rules, Calendar, and Operations of the House.

May 31, 2004

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH THE JOINT LEGISLATIVE COMMISSION ON
PROMOTING PATIENT SAFETY IN THE PROVISION OF HEALTH CARE.

The General Assembly of North Carolina enacts:

SECTION 1.(a) Commission Established. – There is established the Joint Legislative Study Commission on Promoting Patient Safety in the Provision of Health Care. The mission of The Commission is to bring representatives from all aspects of health care together to hold open and comprehensive discussions about issues affecting patient safety in the delivery of health care.

SECTION 1.(b) Membership. – The Commission shall consist of 25 members as follows:

(1) The President Pro Tempore of the Senate shall appoint 11 members: five from the Senate and one representative from each of the following:

- a. The North Carolina Medical Society
- b. The North Carolina Hospital Association
- c. The North Carolina Nurses Association
- d. Health Insurers
- e. The North Carolina Association of Pharmacists
- f. A retired superior court judge who is not currently a sitting judge but who has experience presiding over civil litigation in this State, recommended by the North Carolina Bar Association

(2) The Speakers of the House of Representatives shall appoint 11 members: five from the House of Representatives and one representative from each of the following:

- a. The North Carolina Medical Society
- b. The North Carolina Hospital Association

- 1 c. Pharmaceutical Research and Manufacturers of America, Inc.,
2 its local affiliates or a comparable professional association
3 located in this State
4 d. Managed Care Organizations
5 e. Association of Community Pharmacists, Inc.
6 f. A retired superior court judge who is not currently a sitting
7 judge but who has experience presiding over civil litigation in
8 this State, recommended by the North Carolina Academy of
9 Trial Lawyers

- 10 (3) The Governor shall appoint three members who represent patient
11 advocacy and consumer organizations and are not practicing attorneys.

12 **SECTION 1.(c) Duties.** – The Commission shall study current activities
13 being conducted by hospitals and other health care providers to address patient safety in
14 the provision of health care in this State, and shall determine the actions that should be
15 taken, including legislative actions and collaboration among agencies and other
16 individuals and entities, to substantially enhance and promote patient safety.

17 **SECTION 1.(d) Reports.** – The Commission shall submit a final written
18 report of its findings and recommendations to the General Assembly not later than the
19 convening of the 2006 Regular Session of the 2005 General Assembly. The
20 Commission may submit a progress report to the 2005 General Assembly upon its
21 convening. The reports shall also include legislative proposals necessary to implement
22 the Commission's recommendations and an analysis of the fiscal impact of each
23 recommendation. The Commission shall terminate upon the earlier of the filing of its
24 final report.

25 **SECTION 1.(e) Expenses of Members.** – Members of the Commission shall
26 be paid per diem, subsistence, and travel expenses as follows:

- 27 (1) Commission members who are members of the General Assembly
28 shall be paid in accordance with G.S. 120-3.1.
29 (2) Commission members who are officials or employees of the State or
30 local government agencies shall be paid in accordance with
31 G.S. 138-6.
32 (3) All other Commission members shall be paid in accordance with
33 G.S. 138-5.

34 **SECTION 1.(f) Cochairs; Meetings.** – The Speakers of the House of
35 Representatives shall appoint a cochair, and the President Pro Tempore of the Senate
36 shall appoint a cochair for the Commission from their respective appointees. The
37 Commission shall meet upon the call of the chairs. A majority of the Commission
38 members shall constitute a quorum. The Commission may meet during a regular or
39 special session of the General Assembly, subject to the approval of the President Pro
40 Tempore of the Senate and the Speakers of the House of Representatives. The
41 Legislative Services Commission may provide meeting space to the Commission in the
42 State Legislative Building or in the Legislative Office Building.

1 **SECTION 1.(g)** Staff. – With the prior approval of the Legislative Services
2 Commission, the Legislative Services Officer shall assign professional staff to assist in
3 the work of the Commission.

4 **SECTION 1.(h)** Cooperation by Government Agencies. – The Commission
5 may call upon any department, agency, institution, or officer of the State or any political
6 subdivision of the State for facilities, data, or other assistance. All State departments and
7 agencies, local governments, and their subdivisions shall cooperate with the
8 Commission and, upon request, shall furnish the Commission and its staff any
9 information in their possession or available to them.

10 **SECTION 2.** From funds appropriated to the General Assembly, the
11 Legislative Services Commission shall allocate fifty thousand dollars (\$50,000) for the
12 expenses of the Commission established by this act.

13 **SECTION 3.** This act becomes effective July 1, 2004.