

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 585
Committee Substitute Favorable 4/28/21

Short Title: Fail to Report Crime/Privilege Exemption.

(Public)

Sponsors:

Referred to:

April 19, 2021

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT LICENSED MARRIAGE AND FAMILY THERAPISTS AND
3 PSYCHIATRISTS ARE NOT REQUIRED TO REPORT CERTAIN CRIMES AGAINST
4 JUVENILES IF A PRIVILEGE AGAINST DISCLOSURE UNDER STATE LAW WOULD
5 PREVENT THEM FROM DOING SO.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 14-318.6(h) reads as rewritten:

8 "(h) Nothing in this section shall be construed as to require a person with (i) a privilege
9 under G.S. 8-53.3, 8-53.7, 8-53.8, or ~~8-53.12~~ or with 8-53.12, (ii) attorney-client ~~privilege~~
10 privilege, or (iii) psychiatrist-client or patient privilege to report pursuant to this section if that
11 privilege would prevent them from doing so. Nothing in this section shall be construed as
12 requiring a licensed marriage and family therapist with a privilege under G.S. 8-53.5 to report
13 pursuant to this section if that privilege would prevent that person from doing so, but the privilege
14 only applies to the primary client and not to any other family members. For purposes of this
15 subsection, the term "primary client" means a person who consults or is interviewed by a licensed
16 marriage and family therapist for the purpose of diagnosis or treatment."

17 **SECTION 2.** This act is effective when it becomes law.

