

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

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HOUSE BILL 298

Short Title: Criminal Falsification of Medical Records. (Public)

Sponsors: Representative Pless.

*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Judiciary 2, if favorable, Rules, Calendar, and Operations of the House

March 8, 2023

1 A BILL TO BE ENTITLED  
2 AN ACT TO CREATE THE OFFENSE OF WILLFUL DESTRUCTION, ALTERATION, OR  
3 FALSIFICATION OF MEDICAL RECORDS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Article 29 of Chapter 90 of the General Statutes is amended by adding  
6 a new section to read:

7 "**§ 90-413. Willful destruction, alteration, or falsification of medical records.**

8 (a) Offense. – It is unlawful for a health care provider to knowingly and willfully destroy,  
9 alter, or falsify a medical record for any of the following purposes:

- 10 (1) Concealing the commission of an error by the health care provider in  
11 providing medical services that caused injury to or the death of a patient.  
12 (2) Unlawfully obtaining money or any other thing of value.  
13 (3) Concealing any material fact not covered under subdivision (1) of this  
14 subsection relating to a potential claim or cause of action.

15 (b) Punishment. – Unless the conduct is covered under some other provision of law  
16 providing greater punishment, violations of subsection (a) of this section are punishable as  
17 follows:

- 18 (1) A violation of subdivision (1) of subsection (a) of this section is a Class H  
19 felony.  
20 (2) A violation of subdivision (2) of subsection (a) of this section is a Class I  
21 felony.  
22 (3) A violation of subdivision (3) of subsection (a) of this section is a Class A1  
23 misdemeanor.

24 (c) Civil Remedies. – Nothing in this section shall affect any civil remedies available for  
25 actions punishable under this section."

26 **SECTION 2.** This act becomes effective December 1, 2023, and applies to offenses  
27 committed on or after that date.

