

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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**HOUSE BILL 1334
Committee Substitute Favorable 6/22/05**

Short Title: Patient Safety Act.

(Public)

Sponsors:

Referred to:

April 20, 2005

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 27
members as follows:

- (1) The President Pro Tempore of the Senate shall appoint 12 members:
four 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;
 - g. The North Carolina Health Care Facilities Association; and
 - h. The Duke Endowment.
- (2) The Speaker of the House of Representatives shall appoint 12
members: four 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;
- c. Pharmaceutical Research and Manufacturers of America, Inc., its local affiliates or a comparable professional association located in this State;
- d. Managed care organizations;
- e. Association of Community Pharmacists, Inc.;
- 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 Academy of Trial Lawyers;
- g. The North Carolina Association, Long Term Care Facilities; and
- h. The Institute for Public Health, University of North Carolina at Chapel Hill School of Public Health.

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

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

SECTION 1.(d) Reports. – The Commission shall submit a final written report of its findings and recommendations to the General Assembly not later than the convening of the 2007 General Assembly. The Commission may submit a progress report to the 2006 Regular Session of the 2005 General Assembly upon its convening. The reports shall also include legislative proposals necessary to implement the Commission's recommendations and an analysis of the fiscal impact of each recommendation. Upon the filing of its final report, the Commission shall terminate.

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

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

SECTION 1.(f) Cochairs; Meetings. – The Speaker of the House of Representatives shall appoint a cochair, and the President Pro Tempore of the Senate shall appoint a cochair for the Commission from their respective appointees. The Commission shall meet upon the call of the chairs. A majority of the Commission members shall constitute a quorum. The Commission may meet during a regular or special session of the General Assembly, subject to the approval of the President Pro Tempore of the Senate and the Speaker of the House of Representatives. The

1 Legislative Services Commission may provide meeting space to the Commission in the
2 State Legislative Building or in the Legislative Office Building.

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

6 **SECTION 1.(h)** Cooperation by Government Agencies. – The Commission
7 may call upon any department, agency, institution, or officer of the State or any political
8 subdivision of the State for facilities, data, or other assistance.

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

12 **SECTION 3.** This act becomes effective July 1, 2005.