

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 535
Committee Substitute Favorable 3/29/07
Committee Substitute #2 Favorable 4/23/07
Senate Judiciary II (Criminal) Committee Substitute Adopted 7/10/07

Short Title: Criminal Background Reviews - EMS Personnel. (Public)

Sponsors:

Referred to:

March 12, 2007

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE CRIMINAL BACKGROUND REVIEWS FOR
CURRENT AND FUTURE EMS PERSONNEL.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 131E-159 is amended by adding a new subsection to read:

"(g) An individual who applies for EMS credentials, seeks to renew EMS credentials, or holds EMS credentials is subject to a criminal background review by the Department. At the request of the Department, the Emergency Medical Services Disciplinary Committee, established by G.S. 143-519, shall review criminal background information and make a recommendation regarding the eligibility of an individual to obtain initial EMS credentials, renew EMS credentials, or maintain EMS credentials. The Department and the Emergency Medical Services Disciplinary Committee shall keep all information obtained pursuant to this subsection confidential. The Medical Care Commission shall adopt rules to implement the provisions of this subsection, including rules to establish a reasonable fee to offset the actual costs of criminal history information obtained pursuant to G.S. 114-19.18."

SECTION 2. Chapter 114 of the General Statutes is amended by adding a new section to read:

"§ 114-19.18. Criminal record checks of EMS personnel.

The Department of Justice may provide to the Department of Health and Human Services the criminal history from the State and National Repositories of Criminal Histories of an individual who applies for EMS credentials, seeks to renew EMS credentials, or holds EMS credentials, when the criminal history is requested by the Department. The Department of Health and Human Services shall provide to the Department of Justice the request for the criminal history, the fingerprints of the individual to be checked, any additional information required by the Department of

1 Justice, and a form consenting to the check of the criminal record and to the use of
2 fingerprints and other identifying information required by the State or National
3 Repositories signed by the individual to be checked. The Department of Health and
4 Human Services and Emergency Medical Services Disciplinary Committee, established
5 by G.S. 143-519, shall keep all information obtained pursuant to this section
6 confidential. The Department of Justice shall charge a reasonable fee to offset the costs
7 incurred by it to conduct the checks of criminal history records authorized by this
8 section."

9 **SECTION 3.** G.S. 143-519(a) reads as rewritten:

10 "(a) There is created ~~an~~the Emergency Medical Services Disciplinary ~~Committee~~
11 ~~which~~Committee. The Committee shall review and make recommendations to the
12 Department regarding all disciplinary matters relating to credentialing of emergency
13 medical services personnel. At the request of the Department, the Committee shall
14 review criminal background information and make a recommendation regarding the
15 eligibility of an individual to obtain initial EMS credentials, renew EMS credentials, or
16 maintain EMS credentials."

17 **SECTION 4.** This act becomes effective October 1, 2007.