

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 598
Judiciary II Committee Substitute Adopted 4/12/93

Short Title: Patient Records/EHNR Investigation.

(Public)

Sponsors:

Referred to:

March 29, 1993

A BILL TO BE ENTITLED

AN ACT TO ALLOW HEALTH CARE FACILITIES TO FURNISH PUBLIC HEALTH AUTHORITIES WITH PATIENT RECORDS UNDER CERTAIN CIRCUMSTANCES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 130A-5(2) reads as rewritten:

"(2) To investigate the causes of epidemics and of infectious, communicable and other diseases affecting the public health in order to control and prevent these diseases; to provide, under the rules of the Commission, for the prevention, detection, reporting and control of communicable, infectious or any other diseases or health hazards considered harmful to the public ~~health~~health; to obtain, notwithstanding the provisions of G.S. 8-53, a copy or a summary of pertinent portions of privileged patient medical records deemed necessary ~~by joint agreement of the attending physician and a Department physician~~ by joint agreement of a Department physician and either the patient's attending physician or the health care facility's chief of staff. For a facility with no chief of staff, the attending physician or the facility's chief administrator may consent to the Department's review of the records. ~~Any physician-person~~ providing copies or summaries of

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1 privileged patient medical records pursuant to this subdivision shall be
2 immune from civil or criminal liability that might otherwise be
3 incurred or imposed based upon invasion of privacy or breach of
4 physician-patient confidentiality arising out of the furnishing of or
5 agreement to furnish such records;".

6 Sec. 2. This act is effective upon ratification.