

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 533

Children and Human Resources Committee Substitute Adopted 5/12/93

Short Title: Occupational Health/Reporting.

(Public)

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Sponsors:

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Referred to: Appropriations.

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March 24, 1993

A BILL TO BE ENTITLED

AN ACT TO INSTITUTE A STATEWIDE REPORTING SYSTEM FOR  
OCCUPATIONAL DISEASES, ILLNESSES, CONDITIONS, AND INJURIES.

The General Assembly of North Carolina enacts:

Section 1. Chapter 130A of the General Statutes is amended by adding the following new Article to read:

**"ARTICLE 20.**

**"OCCUPATIONAL HEALTH.**

**"§ 130A-455. Reportable diseases, illnesses, conditions, and injuries.**

The Commission shall adopt rules establishing a list of occupational injuries that occur in agricultural settings, and occupational diseases, illnesses, and conditions to be reported to the Department. The Commission shall adopt rules establishing the specific information to be submitted when making a report required by this Article, time limits for reporting, and the form of the report.

**"§ 130A-456. Physicians to report.**

A physician licensed to practice medicine in this State who treats a person for an occupational injury that occurred in an agricultural setting or an occupational disease, illness, or condition declared by the Commission to be reportable, shall report the information required by the Commission to the Department.

**"§ 130A-457. Medical facilities to report.**

A medical facility in which there is a patient who has an occupational injury that occurred in an agricultural setting, or an occupational disease, illness, or condition

1 declared by the Commission to be reportable, may report information specified by the  
2 Commission to the Department.

3 **"§ 130A-458. Persons in charge of laboratories to report.**

4 A person in charge of a clinical or pathological laboratory providing diagnostic  
5 service in this State shall report to the Department laboratory findings related to  
6 occupational diseases, illnesses, conditions, or injuries for which laboratory reporting is  
7 required by the Commission.

8 **"§ 130A-459. Immunity of persons who report.**

9 A person who makes a report pursuant to the provisions of this Article shall be  
10 immune from any civil or criminal liability that might otherwise be incurred or imposed  
11 as a result of making the report.

12 **"§ 130A-460. Report to Department of Labor.**

13 Each report to the Department pursuant to this Article shall be evaluated for its  
14 potential indication of an exposure to a health hazard. If an on-site visit is deemed  
15 necessary, a copy of the report for work sites for which the Department of Labor has  
16 jurisdiction for the enforcement of occupational health laws shall be forwarded to the  
17 Department of Labor. If the Department of Labor determines that an on-site visit is  
18 necessary for enforcement purposes, the Department of Labor shall inform the  
19 Department within 30 days of the receipt of the report, and a representative of the  
20 Department may participate in the visit. The Department shall not contact or otherwise  
21 notify any employer of a pending investigation prior to the determination by the  
22 Department of Labor regarding the necessity of an on-site visit and shall not give  
23 advance notice of a visit if one is necessary. The Department of Labor and the  
24 Department may exchange information regarding specific workplaces and conditions  
25 and such information shall retain the same confidentiality provided by the originating  
26 agency."

27 Sec. 2. This act becomes effective January 1, 1994.