

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 1003

Short Title: Public Health/Investig. & Control Msurs. (Public)

Sponsors: Representatives Farmer-Butterfield, Earle, England, Insko (Primary Sponsors); Barnhart, Brisson, Faison, Hughes, Justice, Justus, Lucas, Neumann, Pierce, and Rapp.

Referred to: Health, if favorable, Judiciary I.

April 2, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE TECHNICAL AND CLARIFYING STATUTORY CHANGES
3 PERTAINING TO THE COMMUNICABLE DISEASE LAWS AND BIRTH
4 REGISTRATION.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.(a)** G.S. 15A-534.3 reads as rewritten:

7 "**§ 15A-534.3. Detention for communicable diseases.**

8 If a judicial official conducting an initial appearance or first appearance hearing finds
9 probable cause that an individual ~~was exposed~~ had a nonsexual exposure to the defendant in a
10 manner that poses a significant risk of transmission of the AIDS virus or Hepatitis B by such
11 defendant, the judicial official shall order the defendant to be detained for a reasonable period
12 of time, not to exceed 24 hours, for investigation by public health officials and for testing for
13 AIDS virus infection and Hepatitis B infection if required by public health officials pursuant to
14 G.S. 130A-144 and G.S. 130A-148."

15 **SECTION 1.(b)** G.S. 130-144(b) reads as rewritten:

16 "(b) ~~Physicians and Physicians,~~ persons in charge of medical facilities or ~~laboratories~~
17 laboratories, and other persons shall, upon request and proper identification, permit a local
18 health director or the State Health Director to examine, review, and obtain a copy of medical or
19 other records in their possession or under their control which the State Health Director or a
20 local health director determines pertain to the (i) diagnosis, treatment, or prevention of a
21 communicable disease or communicable condition for a person infected, exposed, or
22 reasonably suspected of being infected or exposed to such a disease or condition, or (ii) the
23 investigation of a known or reasonably suspected outbreak of a communicable disease or
24 communicable condition."

25 **SECTION 2.** G.S. 130A-101(b) reads as rewritten:

26 "(b) When a birth occurs in a hospital or other medical facility, the person in charge of
27 the facility shall obtain the personal data, prepare the certificate, and secure the signatures
28 required by the ~~certificate and file it with the local registrar within five days after the~~
29 ~~birth certificate.~~ The physician or other person in attendance shall provide the medical
30 information required by the certificate."

31 **SECTION 3.** This act is effective when it becomes law.

