

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 234

Short Title: Conform Privilege Exemptions. (Public)

Sponsors: Representatives K. Baker, Stevens, Wheatley, and Reeder (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Judiciary 2, if favorable, Rules, Calendar, and Operations of the House

March 2, 2023

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT PSYCHIATRISTS AND LICENSED MARRIAGE AND
FAMILY THERAPISTS ARE EXEMPT IN THE SAME MANNER AS CURRENT
EXEMPTIONS FOR SOCIAL WORKERS, CLINICAL MENTAL HEALTH
COUNSELORS, AND PSYCHOLOGISTS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-318.6(h) reads as rewritten:

"(h) Nothing in this section shall be construed as to require a person with (i) a privilege under G.S. 8-53.3, 8-53.7, 8-53.8, or ~~8-53.12 or with 8-53.12~~, (ii) attorney-client ~~privilege~~ privilege, or (iii) psychiatrist-client or patient privilege to report pursuant to this section if that privilege would prevent them from doing so. Nothing in this section shall be construed as requiring a licensed marriage and family therapist with a privilege under G.S. 8-53.5 to report pursuant to this section if that privilege would prevent that person from doing so, but the privilege only applies to the primary client and not to any other family members. For purposes of this subsection, the term "primary client" means a person who contracts with a licensed marriage and family therapist for professional services for the purpose of diagnosis or treatment."

SECTION 2. This act is effective when it becomes law.

