

NORTH CAROLINA GENERAL ASSEMBLY
1973 SESSION

CHAPTER 1111
SENATE BILL 1101

AN ACT TO PROVIDE IMMUNITY FROM MONETARY LIABILITY FOR ACTS OF
MEMBERS OF MEDICAL REVIEW COMMITTEES WHEN PERFORMED WITHIN
THE SCOPE OF THE FUNCTIONS OF SUCH COMMITTEES.

The General Assembly of North Carolina enacts:

Section 1. Chapter 131 of the General Statutes of North Carolina is amended by adding a new Article to be designated Article 17 and entitled Medical Review Committee to read as follows:

"Article 17.

"Medical Review Committee.

"§ 131-163. **Definitions.** — As used in this act, 'medical review committees' or 'committee' shall mean a committee of a State or local professional society, of a medical staff of a licensed hospital, nursing home, or a committee of a peer review corporation or organization which is formed for the purpose of evaluating the quality, cost of, or necessity for hospitalization or health care services, within the purview of Section 249F, Public Law 92-603, 92nd Congress, 2nd Session.

"§ 131-164. **Limited liability.** — A member of a duly-appointed medical review committee shall not be subject to liability for damages in any civil action on account of any act, statement or proceeding undertaken, made, or performed within the scope of the functions of such committee, if the committee member acts without malice or fraud."

Sec. 2. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 3rd day of April, 1974.