

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 1118
HOUSE BILL 1394

AN ACT TO AMEND G.S. 8-53 TO ALLOW A DECEASED'S NEXT OF KIN WHEN THE ESTATE IS UNADMINISTERED, TO AUTHORIZE THE RELEASE OF CONFIDENTIAL INFORMATION CONTAINED IN DECEASED'S MEDICAL RECORDS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 8-53 is hereby rewritten to read as follows:

"§ 8-53. Communications between physician and patient. — No person, duly authorized to practice physic or surgery, shall be required to disclose any information which he may have acquired in attending a patient in a professional character, and which information was necessary to enable him to prescribe for such patient as a physician, or to do any act for him as a surgeon.

Confidential information obtained in medical records shall be furnished only on the authorization of the patient, or if deceased, the executor, administrator, or, in the case of unadministered estates, the next of kin; provided, that the court, either at the trial or prior thereto, or the Industrial Commission pursuant to law may compel such disclosure, if in his opinion the same is necessary to a proper administration of justice."

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

In the General Assembly read three times and ratified, this the 1st day of July, 1977.