

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 838
HOUSE BILL 1378

AN ACT TO AMEND THE MEDICAL PRACTICE ACT.

The General Assembly of North Carolina enacts:

Section 1. Section 90-9 of the General Statutes of North Carolina, as it appears in the 1975 Replacement Volume 2C, is hereby amended deleting the third paragraph thereof and substituting in lieu thereof the following:

"If the applicant successfully passes such examination as determined by the board, and if the applicant also satisfies the board that he has successfully completed one year of training after his graduation from medical school in a medical education program approved by the board, the board shall grant such applicant a license authorizing the applicant to practice medicine in any of its branches."

Sec. 2. Section 90-13 of the General Statutes of North Carolina, as it appears in the 1975 Supplement to G.S. Volume 2C, is hereby amended by striking out the period at the end of the first sentence of said section after the word "State" and adding in lieu thereof a comma and the following:

"and has successfully completed one year of training after his graduation from medical college in a medical education and training program approved by the board, in which program the board may permit him to practice medicine."

Sec. 3. Section 90-14(6) of the General Statutes of North Carolina, as it appears in the 1975 Supplement to G.S. Volume 2C, is hereby amended by striking out the word "minimal". Section 90-14 is further amended by deleting subdivision (4).

Sec. 4. Section 90-15 of the General Statutes of North Carolina, as it appears in the 1975 Replacement Volume 2C, is hereby amended by deleting the words "within the confines of a hospital" and inserting in lieu thereof "in a medical education and training program approved by the board."

Sec. 5. Section 90-16 of the General Statutes of North Carolina, as it appears in the 1975 Supplement to G.S. Volume 2C, is amended by adding thereto the following:

"The board may in an executive session receive evidence involving or concerning the treatment of a patient who has not expressly or impliedly consented to the public disclosure of such treatment as may be necessary for the protection of the rights of such patient or of the accused physician and the full presentation of relevant evidence. All records, papers and other documents containing information collected and compiled by the board, or its members or employees as a result of investigations, inquiries or interviews conducted in connection with a licensing or disciplinary matter shall not be considered public records within the meaning of Chapter 132 of the General Statutes; provided, however, that any notice or statement of charges against any licensee, or any notice to any licensee of a hearing in any proceeding shall be a public record within the meaning of Chapter 132 of the General Statutes, notwithstanding that it may contain information collected and compiled as a result of any such investigation, inquiry or interview; and provided, further, that if any such record, paper or other document containing information theretofore collected and compiled by the board, as hereinbefore provided, is received and admitted in evidence in any hearing before the board, it shall thereupon be a public record within the meaning of Chapter 132 of the General Statutes.

In any proceeding before the board, in any record of any hearing before the board, and in the notice of the charges against any licensee (notwithstanding any provision herein to the contrary) the board may withhold from public disclosure the identity of a patient who has not expressly or impliedly consented to the public disclosure of treatment by the accused physician."

Sec. 6. Section 1 and Section 2 of this act shall become effective October 1, 1977. Sections 3, 4 and 5 of this act shall become effective upon ratification of this act.

In the General Assembly read three times and ratified, this the 30th day of June, 1977.