

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 345
SENATE BILL 375

AN ACT TO AMEND CERTAIN PORTIONS OF ARTICLE 17 AND 17A OF CHAPTER 130 OF THE NORTH CAROLINA GENERAL STATUTES RELATING TO THE PREVENTION, DIAGNOSIS AND TREATMENT OF CANCER.

The General Assembly of North Carolina enacts:

Section 1. Articles 17 and 17A of G.S. Chapter 130 are repealed.

Sec. 2. G.S. Chapter 130 is amended by adding a new Article to read as follows:

"ARTICLE 17C.

"Cancer Control Program.

"§ 130-186.15. Administration of program; rules. — The Department of Human Resources shall administer a program for the prevention and treatment of cancer to the extent specified in this Article and the Commission for Health Services is authorized to promulgate rules to carry out such program.

"§ 130-186.16. Financial aid for diagnosis and treatment. — The Department of Human Resources shall furnish to indigent citizens of North Carolina, having or suspected of having cancer and who comply with the rules specified by the Commission for Health Services, financial aid for diagnosis and treatment. The Department of Human Resources may make available to all citizens facilities for diagnosis and treatment of cancer. Such diagnosis and treatment shall be given to patients in any medical facility in this State which meets the minimum requirements for cancer control established by the Commission for Health Services. In order to administer financial aid in the manner which will afford the greatest benefit to the patients, the Commission for Health Services is hereby authorized to promulgate rules specifying the terms and conditions upon which the patients may receive financial aid. The Department of Human Resources may develop procedures for carrying out the purposes of this Article.

"§ 130-186.17. Cancer clinics. — The Department of Human Resources is authorized to establish minimum standards and requirements for the staffing, equipment and operation of State-sponsored cancer clinics in medical facilities and local health departments to the end that the medical facilities and local health departments may adequately staff and equip their facilities to provide for the early diagnosis, prevention, and effective treatment of cancer.

"§ 130-186.18. Incidence reporting of cancer. — Every physician shall report to the Central Cancer Registry of the Department of Human Resources each diagnosis of cancer made in any person for whom the physician is professionally consulted. The reports shall be made within 60 days of diagnosis. Diagnosis and demographic information, as prescribed by the Commission for Health Services in consultation with the Cancer Committee of the North Carolina Medical Society, shall be included in the report.

"§ 130-186.19. Central Cancer Registry. — A medical facility may submit to the Department of Human Resources clinical, statistical and other records relating to the treatment and cure of cancer. This information shall be received by the Central Cancer Registry maintained by the Department of Human Resources. The Central Cancer Registry shall compile, tabulate and preserve statistical, clinical, and other reports and records relating to the incidence, treatment

and cure of cancer received pursuant to this section and G.S. 130-186.18. The Central Cancer Registry shall provide assistance and consultation for public health work.

"§ 130-186.20. Immunity of persons who report Cancer. — Any physician, medical facility or their employees who make a report pursuant to G.S. 130-186.18 or G.S. 130-186.19 to the Central Cancer Registry of the Department of Human Resources shall be immune from any civil or criminal liability that might otherwise be incurred or imposed for so doing.

"§ 130-186.21. Confidentiality of records. — The clinical records or reports of individual patients shall be confidential and shall not be public records open to inspection. The Commission for Health Services shall provide by rule for the use of the records and reports for medical research.

"§ 130-186.22. Cancer Committee of the North Carolina Medical Society. — In implementing this Article, the Department of Human Resources shall consult with the Cancer Committee of the North Carolina Medical Society, which shall consist of at least one physician from each congressional district, to the end that the cancer control program shall most effectively serve the welfare of the people of the State. Any proposed rules or reports affecting the operation of the cancer control program shall be reviewed by said Cancer Committee for comment prior to adoption or presentation.

"§ 130-186.23. Duties of Department of Human Resources. — The Department of Human Resources shall study the entire problem of cancer: its causes (including environmental factors), prevention, detection, diagnosis, and treatment. The Department of Human Resources shall provide or assure the availability of cancer educational resources to the health professions, interested private or public organizations and the public.

"§ 130-186.24. Reports by Secretary. — The Secretary of Human Resources shall make a report to the Governor and the General Assembly specifying the activities of the cancer control program and the budget thereof. Such report shall be made to the Governor annually, and to the General Assembly biennially."

Sec. 3. This act shall become effective October 1, 1981.

In the General Assembly read three times and ratified, this the 8th day of May, 1981.