

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 725
HOUSE BILL 1111

AN ACT TO PROHIBIT DISCOVERY AND ADMISSIBILITY OF ACTIONS OF
MEDICAL REVIEW COMMITTEE MEETINGS.

The General Assembly of North Carolina enacts:

Section 1. A new section is added to Article 17, of Chapter 131 of the General Statutes to read:

"§ 131-170. Introduction of records into evidence; testimony of members of committees.

— The proceedings of, records and materials produced by, and the materials considered by a committee are not subject to discovery or introduction into evidence in any civil action against a provider of professional health services arising out of the matters which are the subject of evaluation and review by the committee, and no person who was in attendance at a meeting of the committee shall be required to testify in any civil action as to any evidence or other matters produced or presented during the proceedings of the committee or as to any findings, recommendations, evaluations, opinions, or other actions of the committee or its members. However, information, documents, or records otherwise available are not immune from discovery or use in a civil action merely because they were presented during proceedings of the committee nor should any person who testifies before the committee or who is a member of the committee be prevented from testifying as to matters within his knowledge, but the witness cannot be asked about his testimony before the committee or opinions formed by him as a result of the committee hearings."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 29th day of June, 1981.