

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

H

1

HOUSE BILL 1094

Short Title: Corrections Malpract. Protection.

(Public)

Sponsors: Representatives Redwine; and H. Hunter.

Referred to: Judiciary II.

April 24, 1991

A BILL TO BE ENTITLED

AN ACT TO PROVIDE PROTECTION FROM LIABILITY FOR NEGLIGENCE TO  
PERSONS PROVIDING MEDICAL AND DENTAL SERVICES TO INMATES  
IN THE CUSTODY OF THE DEPARTMENT OF CORRECTION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-300.7 reads as rewritten:

"§ 143-300.7. **Defense of medical contractors.**

Notwithstanding any other provisions of this Article, any person or professional association who at the request of the Department of Correction provides medical and dental services to inmates in the custody of the Department of Correction and who is ~~sued~~ sued:

(1) For negligence in the provision of medical or dental services; or

(2) ~~pursuant~~ Pursuant to the Federal Civil Rights Act of ~~1871~~ 1871;

may be defended by the Attorney General and shall be protected from liability for negligence or violations of civil rights in accordance with the provisions of this Article. The provisions of this section with respect to actions for negligence do not afford protection from liability for acts involving gross negligence or intentional acts."

Sec. 2. This act is effective upon ratification and applies to actions filed on or after that date.