

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 755

Short Title: AIDS Test/Risk Exposure.

(Public)

Sponsors: Senator Johnson.

Referred to: Human Resources.

April 24, 1991

A BILL TO BE ENTITLED
AN ACT TO ALLOW AIDS TESTING WITHOUT CONSENT IN CERTAIN
MEDICAL PROCEDURES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 130A-148(j) reads as rewritten:

"(j) It shall not be unlawful for a licensed health care provider or facility to:

(1) Treat a person who has AIDS virus or HIV infection differently from persons who do not have that infection when such treatment is appropriate to protect the health care provider or employees of the provider or employees of the facility while providing appropriate care for the person who has the AIDS virus or HIV infection; or

(1a) Test a person for AIDS virus or HIV infection without the informed consent of the person, when, in the reasonable medical judgment of the attending physician, a risk of transmission of the AIDS virus or HIV infection has occurred through high likelihood of blood or body fluid exposure during a medical procedure; or

(2) Refer a person who has AIDS virus or HIV infection to another licensed health care provider or facility when such referral is for the purpose of providing more appropriate treatment for the person with AIDS virus or HIV infection."

Sec. 2. This act becomes effective July 1, 1991.