

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 639

Short Title: Health Workers/HIV.

(Public)

Sponsors: Senator Cooper.

Referred to: Judiciary II.

March 31, 1993

A BILL TO BE ENTITLED

AN ACT RELATING TO PRACTICE RESTRICTIONS IMPOSED ON HEALTH CARE WORKERS WHO ARE INFECTED WITH HIV OR HEPATITIS B.

The General Assembly of North Carolina enacts:

Section 1. G.S. 130A-144 is amended by adding the following new subsection to read:

"(h) Anyone who assists in an inquiry or investigation conducted by the State Health Director for the purpose of evaluating the risk of transmission of HIV or Hepatitis B from an infected health care worker to patients, or who serves on an expert panel established by the State Health Director for that purpose, shall be immune from civil or criminal liability that otherwise might be incurred or imposed for any acts or omissions which result from such assistance or service. A hospital or employer shall be immune from civil or criminal liability which might otherwise be incurred or imposed on account of employing or granting staff privileges to a health care worker who is infected with HIV or Hepatitis B so long as the hospital or employer imposes practice or medical staff privilege restrictions on the infected health care worker which are identical to any such restrictions imposed by the State Health Director pursuant to rules adopted by the Commission. Nothing in this section provides immunity from liability for a violation of G.S. 130A-143."

Sec. 2. This act is effective upon ratification.