

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015**

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**HOUSE BILL 429  
Committee Substitute Favorable 4/15/15**

Short Title: Amend Med. Mal. Health Care Provider Defin.

(Public)

Sponsors:

Referred to:

April 1, 2015

1 A BILL TO BE ENTITLED  
2 AN ACT TO AMEND THE DEFINITION OF HEALTH CARE PROVIDER IN ARTICLE  
3 1B OF CHAPTER 90 OF THE NORTH CAROLINA GENERAL STATUTES TO  
4 INCLUDE EMERGENCY MEDICAL SERVICES PERSONNEL.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 90-21.11(1) is amended to add a new sub-subdivision to read:  
7 "**§ 90-21.11. Definitions.**

8 The following definitions apply in this Article:

9 (1) Health care provider. – Without limitation, any of the following:

- 10 a. A person who pursuant to the provisions of Chapter 90 of the  
11 General Statutes is licensed, or is otherwise registered or certified to  
12 engage in the practice of or otherwise performs duties associated  
13 with any of the following: medicine, surgery, dentistry, pharmacy,  
14 optometry, midwifery, osteopathy, podiatry, chiropractic, radiology,  
15 nursing, physiotherapy, pathology, anesthesiology, anesthesia,  
16 laboratory analysis, rendering assistance to a physician, dental  
17 hygiene, psychiatry, or psychology.
- 18 b. A hospital, a nursing home licensed under Chapter 131E of the  
19 General Statutes, or an adult care home licensed under Chapter 131D  
20 of the General Statutes.
- 21 c. Any other person who is legally responsible for the negligence of a  
22 person described by sub-subdivision a. of this subdivision, a hospital,  
23 a nursing home licensed under Chapter 131E of the General Statutes,  
24 or an adult care home licensed under Chapter 131D of the General  
25 Statutes.
- 26 d. Any other person acting at the direction or under the supervision of a  
27 person described by sub-subdivision a. of this subdivision, a hospital,  
28 a nursing home licensed under Chapter 131E of the General Statutes,  
29 or an adult care home licensed under Chapter 131D of the General  
30 Statutes.
- 31 e. Any emergency medical services personnel as defined in  
32 G.S. 131E-155(8), 131E-155(9), 131E-155(12), 131E-155(13), and  
33 131E-155(15)."

34 **SECTION 2.** This act is effective when it becomes law and applies to causes of  
35 action arising on or after that date.

