

March 4, 1999

H 254. HEALTH CARE FACILITY/PATIENT ABUSE. *TO PROVIDE THAT THE ABUSE OR NEGLECT OF A PATIENT AT A HEALTH CARE FACILITY OR A RESIDENTIAL CARE FACILITY THAT DOES NOT RESULT IN SERIOUS BODILY INJURY OR DEATH IS A MISDEMEANOR.* Amends GS 14-32.2 (which makes it a crime to physically abuse a patient of a health care facility or a resident of a residential care facility) to add a provision that abuse or neglect of such a patient or resident that does not result in serious bodily injury or death is a Class A1 misdemeanor. Adds definition of "abuse" as the willful or grossly negligent infliction of physical pain, injury, or mental anguish, unreasonable confinement, or the willful or grossly negligent deprivation of services which are necessary to maintain mental or physical health. Adds definition of "neglect" as the willful violation of any law or state agency rule designed to protect the health, welfare, or comfort of a patient or resident. Makes corporations, associations, and partnerships subject to provisions of GS 14-32.2. Effective Dec. 1, 1999; applies to offenses committed on or after that date.

Intro. by Edwards.

Ref. to Health

GS 14

April 15, 1999

H 254. HEALTH CARE FACILITY/PATIENT ABUSE. Intro. 3/4/99. House committee substitute makes the following changes to 1st edition. Rewrites GS 14-32.2 to delete specification that act resulting in death or bodily injury of patient must be the result of an intentional or culpable negligent act or omission. Makes it Class A1 misdemeanor to violate act (to physically abuse patient) by pattern of conduct and conduct causes bodily injury to patient or resident. Deletes references to neglect as means of violating act. Rewrites definition of abuse, so that it now means the willful or culpably negligent infliction of physical injury or the willful or culpably negligent violation of any law or rule of state agency designed to protect health, welfare or safety of patient.

April 26, 1999

H 254. HEALTH CARE FACILITY/PATIENT ABUSE. Intro. 3/4/99. House committee substitute makes the following changes to 2nd edition. Amends GS 14-32.2(b)(3) to provide that violation is Class F felony when such conduct is willful or culpably negligent (underlined words added) and proximately causes serious bodily injury to patient or resident. Adds same new language to proposed new GS 14-32.2(b)(4) (which creates Class A1 misdemeanor).

April 28, 1999

H 254. HEALTH CARE FACILITY/PATIENT ABUSE. Intro. 3/4/99. House amendment makes the following changes to 2nd edition. Deletes from definition of abuse violation of a state agency rule.