

March 26, 2003

H 669. HOSPITAL LICENSURE/CRITICAL ACCESS HOSPITAL. TO AMEND THE DEFINITION OF A "PRIMARY CARE HOSPITAL" TO REFLECT FEDERAL REQUIREMENTS. Requires "critical access hospitals" to be so designated by the North Carolina Dep't of Health and Human Services, Office of Rural Health and Resource Development, and meet the requirements of federal law for certification. Further requires critical access hospitals to offer primary outpatient services, ensure 24-hour emergency care and be part of a rural hospital network. Makes other technical changes.

Intro. by Wright.

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| Ref. to Health | GS 131E |
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April 9, 2003

H 669. HOSPITAL LICENSURE/CRITICAL ACCESS HOSPITAL. Intro. 3/26/03. House committee substitute makes the following changes to 1st edition. Makes technical changes only.

July 14, 2004

H 669. HOSPITALS/LTC QUALITY ASSURANCE (NEW). Intro. 3/26/03. Senate committee substitute makes the following changes to 2nd edition. Amends GS 131E-76(6) by deleting provision that hospital designated as a critical access hospital shall offer primary outpatient services, ensure the availability of 24-hour emergency services, and be part of a rural hospital network. Enacts new GS 131E-101(8) defining "quality assurance committee." Enacts new GS 131E-107(b) and 131D-21.2(b) providing that records of proceedings of a quality assurance, medical, or peer review comm. are confidential and are not public records under GS 132-1 and are not subject to discovery or introduction into evidence in any civil action against a nursing home or a professional health services provider. Further provides that persons shall not be required to testify concerning those proceedings in any civil action. Enacts new GS 131D-21.2, which makes comm. member immune from liability for civil damages if member acts without malice or fraud. Amends GS 131E-76(5) to list types of committees that are considered to be a "medical review committee" and GS 90-21.22A(a)(2) to define "quality assurance committee." Amends GS 122C-30 to add "quality assurance committee" to type of committee that is immune from liability under sec. Amends GS 90-21.22A(c) and 122C-30(2) to clarify that documents otherwise available as public records do not lose that status because they were presented during comm. proceedings. Enacts new GS 90-21.18A providing that nursing home medical directors shall not be named a defendant in a medical malpractice action unless action concerns a patient under the direct care of the medical director, or alleges willful or intentional misconduct, recklessness, or gross negligence by the medical director in a supervisory or consulting role. Enacts new GS Ch. 8C, Art. 4, Rule 413, making statements made by a health care provider apologizing for an adverse outcome, offering to take corrective measures, or otherwise offering assistance inadmissible in malpractice action. Makes technical changes.

August 6, 2004

SL 2004-149 (H 669). HOSPITALS/LTC QUALITY ASSURANCE. AN ACT TO AMEND THE DEFINITION OF A "PRIMARY CARE HOSPITAL" TO REFLECT FEDERAL REQUIREMENTS, TO IMPROVE THE QUALITY OF PATIENT CARE, TO PROTECT PATIENT-PHYSICIAN RELATIONSHIPS AND TO LIMIT MEDICAL DIRECTORS LIABILITY. Summarized in *Daily Bulletin* 3/26/03, 4/9/03, and 7/14/04. Enacted August 2, 2004. Effective August 2, 2004.