

April 14, 2005

H 1229. ELECT MEDICAL BOARD/FEEES/REPORT MISCONDUCT. *TO PROVIDE FOR THE ELECTION OF PHYSICIAN MEMBERS OF THE NORTH CAROLINA MEDICAL BOARD, TO AUTHORIZE THE MEDICAL BOARD TO COLLECT REASONABLE FEES TO COVER THE COSTS OF THIS ELECTION, TO PROVIDE INFORMATION TO THE PUBLIC REGARDING CERTAIN DAMAGE AWARDS OR SETTLEMENTS OF MEDICAL MALPRACTICE ACTIONS AND CLAIMS, AND TO REQUIRE THE REPORTING OF SEXUAL MISCONDUCT BY A PHYSICIAN OR A PHYSICIAN ASSISTANT TO THE MEDICAL BOARD WHEN THE CONDUCT WAS SUBJECT TO PEER REVIEW.* Enacts new GS 90-3.1 as title indicates, giving all persons licensed to practice medicine and residing and practicing in NC the opportunity to vote in election of physician members of Board (was, appointed by Governor upon nomination by the NC Medical Society) and establishing nomination and election procedures. Amends GS 90-14(b) to authorize Board (was, required Board) to refer to the State Medical Society Physician Health and Effectiveness Committee all physicians who are significantly impaired by alcohol or drug addiction or mental illness. Provides that mental illness does not include sexual misconduct and limits physicians to two Committee referrals except in the case of license revocations or suspensions. Enacts new GS 90-14.13(f) and (g) to require that Board publish on public access Web site certain listed information about reports on malpractice claim settlements and that Board provide public with information on any medical malpractice damage awards or settlements against an individual physician in excess of five payouts over \$100,000 within a ten-year period. Amends GS 90-21.22 (peer review agreements) to require that certain peer review organizations report information to Board about physicians' or physician assistants' sexual misconduct or commission of a felony. Effective January 1, 2006.

Intro. by Faison.

Ref. to Rules

GS 90