

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 1002
PROPOSED SENATE COMMITTEE SUBSTITUTE H1002-PCS11038-RU-13

Short Title: Amend Public Health-Related Laws.

(Public)

Sponsors:

Referred to:

April 2, 2009

A BILL TO BE ENTITLED

AN ACT TO AMEND PUBLIC HEALTH-RELATED LAWS TO CLARIFY PROCEDURES
FOR INVESTIGATING AND CONTROLLING COMMUNICABLE DISEASES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 15A-534.3 reads as rewritten:

"§ 15A-534.3. **Detention for communicable diseases.**

If a judicial official conducting an initial appearance or first appearance hearing finds probable cause that an individual ~~was exposed~~ had a nonsexual exposure to the defendant in a manner that poses a significant risk of transmission of the AIDS virus or Hepatitis B by such defendant, the judicial official shall order the defendant to be detained for a reasonable period of time, not to exceed 24 hours, for investigation by public health officials and for testing for AIDS virus infection and Hepatitis B infection if required by public health officials pursuant to G.S. 130A-144 and G.S. 130A-148."

SECTION 2. G.S. 130A-144(b) reads as rewritten:

"(b) ~~Physicians and~~ Physicians, persons in charge of medical facilities or ~~laboratories~~ laboratories, and other persons shall, upon request and proper identification, permit a local health director or the State Health Director to examine, review, and obtain a copy of medical or other records in their possession or under their control which the State Health Director or a local health director determines pertain to the (i) diagnosis, treatment, or prevention of a communicable disease or communicable condition for a person infected, exposed, or reasonably suspected of being infected or exposed to such a disease or condition, or (ii) the investigation of a known or reasonably suspected outbreak of a communicable disease or communicable condition."

SECTION 3. This act is effective when it becomes law.



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