

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015**

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**HOUSE BILL 429
PROPOSED COMMITTEE SUBSTITUTE H429-PCS20294-TG-11**

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

(Public)

Sponsors:

Referred to:

April 1, 2015

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

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 90-21.11(1) is amended to add a new sub-subdivision to read:

"§ 90-21.11. Definitions.

The following definitions apply in this Article:

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

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

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

