

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

H.B. 298
Mar 7, 2023
HOUSE PRINCIPAL CLERK

H

D

HOUSE BILL DRH10138-ML-39

Short Title: Criminal Falsification of Medical Records. (Public)

Sponsors: Representative Pless.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO CREATE THE OFFENSE OF WILLFUL DESTRUCTION, ALTERATION, OR
3 FALSIFICATION OF MEDICAL RECORDS.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Article 29 of Chapter 90 of the General Statutes is amended by adding
6 a new section to read:

7 "**§ 90-413. Willful destruction, alteration, or falsification of medical records.**

8 (a) Offense. – It is unlawful for a health care provider to knowingly and willfully destroy,
9 alter, or falsify a medical record for any of the following purposes:

10 (1) Concealing the commission of an error by the health care provider in
11 providing medical services that caused injury to or the death of a patient.

12 (2) Unlawfully obtaining money or any other thing of value.

13 (3) Concealing any material fact not covered under subdivision (1) of this
14 subsection relating to a potential claim or cause of action.

15 (b) Punishment. – Unless the conduct is covered under some other provision of law
16 providing greater punishment, violations of subsection (a) of this section are punishable as
17 follows:

18 (1) A violation of subdivision (1) of subsection (a) of this section is a Class H
19 felony.

20 (2) A violation of subdivision (2) of subsection (a) of this section is a Class I
21 felony.

22 (3) A violation of subdivision (3) of subsection (a) of this section is a Class A1
23 misdemeanor.

24 (c) Civil Remedies. – Nothing in this section shall affect any civil remedies available for
25 actions punishable under this section."

26 SECTION 2. This act becomes effective December 1, 2023, and applies to offenses
27 committed on or after that date.

