

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

H.B. 567
Apr 4, 2023
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10270-NBa-158

Short Title: Health Care Freedom Act.

(Public)

Sponsors: Representative Willis.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROHIBIT A HEALTH CARE PROVIDER FROM REFUSING TO TREAT A
3 PATIENT BASED ON VACCINATION STATUS.

4 The General Assembly of North Carolina enacts:

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

7 **"§ 90-21.13A. Duty to provide health care treatment.**

8 (a) No health care provider shall refuse to provide health care or professional services to
9 an individual seeking a health care treatment for an emergency medical condition, as defined in
10 42 U.S.C. § 1395dd(e)(1)(A), due to the individual's vaccination status at the time health care
11 treatment is requested or during the course of health care treatment. For the purposes of this
12 section, "vaccination status" means an indication of whether an individual has received a vaccine
13 of any kind.

14 (b) An individual may commence a civil action against a health care provider for a
15 violation of this section. A prevailing plaintiff is entitled to any one or more of the following:

16 (1) Damages, including punitive damages and actual damages.

17 (2) Injunctive and any other court-approved relief.

18 (3) Reasonable attorney fees and costs.

19 (c) A health care provider who violates this section shall be guilty of a Class 2
20 misdemeanor and shall be referred to the appropriate licensing agency for disciplinary action."

21 **SECTION 2.** There is appropriated from the General Fund to the Department of
22 Health and Human Services the nonrecurring sum of ten thousand dollars (\$10,000) for the
23 2023-2024 fiscal year for outreach and education efforts related to the implementation of this act.

24 **SECTION 3.** Section 1 of this act becomes effective October 1, 2023. The remainder
25 of this act becomes effective July 1, 2023.

