

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 190

AMENDMENT NO. A3
(to be filled in by
Principal Clerk)

H190-ABC-33 [v.8]

Page 1 of 5

Amends Title [NO]
Fourth Edition

Date _____, 2023

Senator Krawiec

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moves to amend the bill on page 16, lines 34-35, by inserting the following between those lines:

**"EXTEND AUTHORIZATION TO ALIGN WITH FEDERAL LAW TO FACILITATE
THE ADMINISTRATION OF COVID-19 VACCINATIONS, DIAGNOSTIC TESTS, OR
OTHER TREATMENTS**

SECTION 9.2.(a) Section 9G.7(e) of S.L. 2022-74 reads as rewritten:

"SECTION 9G.7.(e) This section is effective when it becomes law and expires on December 31, ~~2023~~-2024."

SECTION 9.2.(b) This section is effective when it becomes law.

CORRECT STATUTORY REFERENCE

SECTION 9.3.(a) G.S. 90-85.15B(a), as amended by Section 3(a) of S.L. 2023-15, reads as rewritten:

"§ 90-85.15B. Immunizing pharmacists.

(a) Except as provided in subsections ~~(a1), (b)~~, (b1), and (c) of this section, an immunizing pharmacist may only administer vaccinations or immunizations to persons at least 18 years of age pursuant to a specific prescription order."

SECTION 9.3.(b) This section is effective when it becomes law.";

and on page 20, lines 8, 13, and 18 by deleting "Medical Care Commission" and replacing with "Commission for Mental Health, Developmental Disabilities, and Substance Use Services";

and on page 20, line 20, by deleting "Medical Care Commission." and replacing with "Commission for Mental Health, Developmental Disabilities, and Substance Use Services.";



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H190-ABC-33 [v.8]

Page 2 of 5

1
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3 and on page 21, lines 5-6, by inserting the following between the lines:

4 "SECTION 11.2A. G.S. 90-113.73 is amended by adding a new subsection to read:

5 "(c1) A dispenser shall not be required to report gabapentin to the controlled substances
6 reporting system when gabapentin is a component of a compounded prescription that is dispensed
7 in dosages of 100 milligrams or less.";

8 and on page 21, lines 13-14, by rewriting the lines to read:

9
10 "SECTION 11.4. Section 11.1, Section 11.2, and Section 11.2A of this act become
11 effective March 1, 2024. Section 11.3 of this act becomes effective March 1, 2025.";

12
13 and on page 21, line 23, by rewriting the line to read:

14 "apply to any product that is sold at retail without a prescription by a pharmacist under G.S. 90-
15 93(b) through (d). This subsection does not apply to prescriptions for targeted controlled
16 substances or any controlled substances included in";

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21 and on page 23, lines 17-18, by inserting the following between the lines:

22 "**PART XIII-A. PARENTAL LEAVE TECHNICAL CORRECTIONS**

23 SECTION 13A.1.(a) G.S. 126-8.6, as enacted by S.L. 2023-14, reads as rewritten:

24 "§ 126-8.6. Paid parental leave.

25 ...

26 (b) Paid Parental Leave. – The State Human Resources Commission shall adopt rules and
27 policies to provide that a permanent, probationary, or time-limited full-time State employee may
28 take the following paid parental leave:

29 (1) Up to eight weeks of paid leave after giving birth to a child; or

30 (2) Up to four weeks of paid leave after any other qualifying event.

31 (c) Part-Time Employees. – The State Human Resources Commission shall adopt rules
32 and policies to provide that a permanent, probationary, or time-limited part-time State employee
33 may take a prorated amount of paid leave after giving birth, not to exceed ~~four~~ eight weeks, or
34 paid leave after any other qualifying event, not to exceed ~~two~~ four weeks, in addition to any other
35 leave available to the employee.

36 (c1) The State Human Resources Commission shall adopt rules and policies providing for
37 a period of minimum service before an employee becomes eligible for parental leave, the
38 maximum number of uses of paid parental leave within a 12-month period, and how much leave
39 is to be provided in the event of miscarriage or the death of a child during birth.

40"

41 SECTION 13A.1.(b) G.S. 126-5(c19), as enacted by S.L. 2023-14, reads as
42 rewritten:

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H190-ABC-33 [v.8]

Page 3 of 5

1 ~~"(c19) The provisions of G.S. 126-8.6 shall apply to all exempt and nonexempt State~~
2 ~~employees in the executive branch; to public school employees; and to community college~~
3 ~~employees. Notwithstanding any other provision of this Chapter, G.S. 126-8.6 applies to all State~~
4 ~~employees, public school employees, and community college employees. G.S. 126-8.6 does not~~
5 ~~apply to employees described in subdivisions (2) and (3) of subsection (c1) of G.S. 126-5. The~~
6 ~~legislative and judicial branches shall adopt parental leave policies."~~

7 **SECTION 13A.1.(c)** G.S. 115C-336.1, as amended by S.L. 2023-14, reads as
8 rewritten:

9 **"§ 115C-336.1. Parental leave.**

10 (a) In addition to paid parental leave authorized by G.S. 126-8.6, a school employee may
11 use annual leave or leave without pay to care for a newborn child or for a child placed with the
12 employee for adoption or foster care. A school employee may also use up to 30 days of sick leave
13 to care for a child placed with the employee for adoption. The leave may be for consecutive
14 workdays during the first 12 months after the date of birth or placement of the child, unless the
15 school employee and the local board of education agree otherwise.

16 (b) To the extent funds are made available for this purpose, the Department of Public
17 Instruction shall administer funds to public school units for the payment of substitute teachers
18 for any public school unit teacher using paid parental leave as provided in G.S. 126-8.6."

19 **SECTION 13A.1.(d)** G.S. 115C-218.90(a) is amended by adding a new subdivision
20 to read:

21 "(6) A board of directors may provide paid parental leave consistent with the
22 requirements of G.S. 126-8.6. If the board provides paid parental leave, it
23 shall be eligible to receive funds as provided in G.S. 115C-336.1(b)."

24 **SECTION 13A.1.(e)** G.S. 115C-238.68 is amended by adding a new subdivision to
25 read:

26 "(8) Paid parental leave. – Teachers employed by the board of directors shall be
27 eligible for paid parental leave as provided in G.S. 126-8.6. The board of
28 directors shall be eligible to receive funds as provided in G.S. 115C-336.1(b)."

29 **SECTION 13A.1.(f)** G.S. 116-239.10 is amended by adding a new subdivision to
30 read:

31 "(9) Paid parental leave. – Teachers employed by the board of the constituent
32 institution shall be eligible for paid parental leave as provided in G.S. 126-8.6.
33 The constituent institution shall be eligible to receive funds as provided in
34 G.S. 115C-336.1(b)."

35 **SECTION 13A.1.(g)** Section 5.1(e) of S.L. 2023-14 reads as rewritten:

36 **"SECTION 5.1.(e)** There is appropriated from the General Fund to the Department of Public
37 Instruction the sum of ten million dollars (\$10,000,000) in recurring funds for the 2023-2024
38 fiscal year and the sum of ten million dollars (\$10,000,000) in recurring funds for the 2024-2025
39 fiscal year to ~~fund paid parental leave authorized by this section.~~provide substitute teachers in
40 accordance with G.S. 115C-336.1(b)."

41 **SECTION 13A.1.(h)** This section becomes effective July 1, 2023, and applies to
42 requests for paid parental leave related to births occurring on or after that date.
43

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H190-ABC-33 [v.8]

Page 4 of 5

1
2
3 **PART XIII-B. IN-PERSON CONSULTATION**

4 **SECTION 13B.1.(a)** G.S. 90-21.83A, as enacted by S.L. 2023-14, reads as rewritten:

5 "**§ 90-21.83A. Informed consent to medical abortion.**

6 ...

7 (b) Except in the case of a medical emergency, consent to a medical abortion is voluntary
8 and informed only if all of the following conditions are satisfied:

9 ...

10 (2) The consent form shall include, at a minimum, all of the following:

11 ...

12 k. The location of the hospital that offers obstetrical or gynecological
13 care located within 30 miles of the location where the medical abortion
14 is performed or induced and at which the physician performing or
15 inducing the medical abortion has clinical privileges. If the physician
16 who will perform the medical abortion has no local hospital admitting
17 privileges, that information shall be communicated.

18 If the physician or qualified professional does not know the information
19 required in sub-subdivision a., j., or k. of this subdivision, the woman shall be
20 advised that this information will be directly available from the physician who
21 is to perform the medical abortion. However, the fact that the physician or
22 qualified professional does not know the information required in
23 sub-subdivision a., j., or k. shall not restart the 72-hour period. The
24 information required by this subdivision shall be provided in English and in
25 each language that is the primary language of at least two percent (2%) of the
26 State's population. The information shall be provided orally in person, by the
27 physician or qualified professional, in which case the required information
28 may be based on facts supplied by the woman to the physician and whatever
29 other relevant information is reasonably available. The information required
30 by this subdivision shall not be provided by a tape recording but shall be
31 provided during a consultation in which the physician is able to ask questions
32 of the patient and the patient is able to ask questions of the physician. an in-
33 person consultation conducted by a qualified professional or a qualified
34 physician. A physician must be available to ask and answer questions within
35 the statutory time frame upon request of the patient or the qualified
36 professional. If, in the medical judgment of the physician, a physical
37 examination, tests, or the availability of other information to the physician
38 subsequently indicates a revision of the information previously supplied to the
39 patient, then that revised information may be communicated to the patient at
40 any time before the performance of the medical abortion. Nothing in this
41 section may be construed to preclude provision of required information in a
42 language understood by the patient through a translator.

43"

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Page 5 of 5

1
2
3
4

SECTION 13B.1.(b) This section becomes effective July 1, 2023."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

**The official copy of this document, with signatures
and vote information, is available in the
Senate Principal Clerk's Office**