

§ 90-21.102. Definitions.

The following definitions apply in this Article:

- (1) Department. – The North Carolina Department of Health and Human Services.
- (2) Free clinic. – A nonprofit, 501(c)(3) tax-exempt organization organized for the purpose of providing health care services without charge or for a minimum fee to cover administrative costs.
- (3) Health care provider. – Any person who:
 - a. Is licensed to practice as a physician or a physician assistant under Article 1 of this Chapter.
 - b. Holds a limited volunteer license under G.S. 90-12.1A.
 - c. Holds a retired limited volunteer license under G.S. 90-12.1B.
 - d. Holds a physician assistant limited volunteer license under G.S. 90-12.4.
 - e. Holds a physician assistant retired limited volunteer license under 90-12.4B.
 - f. Is a volunteer health care professional to whom G.S. 90-21.16 applies.
 - g. Is licensed to practice dentistry under Article 2 of this Chapter.
 - h. Is licensed to practice pharmacy under Article 4A of this Chapter.
 - i. Is licensed to practice optometry under Article 6 of this Chapter.
 - j. Is licensed to practice as a registered nurse or licensed practical nurse under Article 9A of this Chapter.
 - k. Is licensed to practice as a dental hygienist under Article 16 of this Chapter.
 - l. Holds a license as a registered licensed optician under Article 17 of this Chapter.
 - m. Is licensed to practice as a physician, physician assistant, dentist, pharmacist, optometrist, registered nurse, licensed practical nurse, dental hygienist, or optician under provisions of law of another state of the United States comparable to the provisions referenced in sub-subdivisions a. through l. of this subdivision.
- (4) Sponsoring organization. – Any nonprofit organization that organizes or arranges for the voluntary provision of health care services pursuant to this Article.
- (5) Voluntary provision of health care services. – The provision of health care services by a health care provider in association with a sponsoring organization in which both of the following circumstances exist:
 - a. The health care services are provided without charge to the recipient of the services or to a third party on behalf of the recipient.
 - b. The health care provider receives no compensation or other consideration in exchange for the health care services provided.

For the purposes of this Article, the provision of health care services in nonprofit community health centers, local health department facilities, free clinic facilities, or at a provider's place of employment when the patient is referred by a nonprofit community health referral service shall not be considered the voluntary provision of health care. (2012-155, s. 1; 2012-194, s. 47(a); 2013-49, s. 2.)