

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

H

2

HOUSE BILL 1002  
Senate Health Care Committee Substitute Adopted 8/6/09

Short Title: Amend Public Health-Related Laws.

(Public)

Sponsors:

Referred to:

April 2, 2009

1 A BILL TO BE ENTITLED  
2 AN ACT TO AMEND PUBLIC HEALTH-RELATED LAWS TO CLARIFY PROCEDURES  
3 FOR INVESTIGATING AND CONTROLLING COMMUNICABLE DISEASES.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 15A-534.3 reads as rewritten:

6 "**§ 15A-534.3. Detention for communicable diseases.**

7 If a judicial official conducting an initial appearance or first appearance hearing finds  
8 probable cause that an individual ~~was exposed~~ had a nonsexual exposure to the defendant in a  
9 manner that poses a significant risk of transmission of the AIDS virus or Hepatitis B by such  
10 defendant, the judicial official shall order the defendant to be detained for a reasonable period  
11 of time, not to exceed 24 hours, for investigation by public health officials and for testing for  
12 AIDS virus infection and Hepatitis B infection if required by public health officials pursuant to  
13 G.S. 130A-144 and G.S. 130A-148."

14 **SECTION 2.** G.S. 130A-144(b) reads as rewritten:

15 "(b) ~~Physicians and~~ Physicians, persons in charge of medical facilities or laboratories  
16 laboratories, and other persons shall, upon request and proper identification, permit a local  
17 health director or the State Health Director to examine, review, and obtain a copy of medical or  
18 other records in their possession or under their control which the State Health Director or a  
19 local health director determines pertain to the (i) diagnosis, treatment, or prevention of a  
20 communicable disease or communicable condition for a person infected, exposed, or  
21 reasonably suspected of being infected or exposed to such a disease or condition, or (ii) the  
22 investigation of a known or reasonably suspected outbreak of a communicable disease or  
23 communicable condition."

24 **SECTION 3.** This act is effective when it becomes law.

