

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

S

D

SENATE DRS55212-MG-61 (3/10)

Short Title: Amend Public Health-Related Laws.

(Public)

Sponsors: Senator Purcell.

Referred to:

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 AND
4 FOR FILING BIRTH CERTIFICATES.

5 The General Assembly of North Carolina enacts:

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

7 "**§ 15A-534.3. Detention for communicable diseases.**

8 If a judicial official conducting an initial appearance or first appearance hearing finds
9 probable cause that an individual ~~was exposed~~ had a nonsexual exposure to the defendant in a
10 manner that poses a significant risk of transmission of the AIDS virus or Hepatitis B by such
11 defendant, the judicial official shall order the defendant to be detained for a reasonable period
12 of time, not to exceed 24 hours, for investigation by public health officials and for testing for
13 AIDS virus infection and Hepatitis B infection if required by public health officials pursuant to
14 G.S. 130A-144 and G.S. 130A-148. (1989, c. 499)."

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

16 "**§ 130A-144. Investigation and control measures.**

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

26 **SECTION 3.** G.S. 130A-101(a) reads as rewritten:

27 "(a) A certificate of birth for each live birth, regardless of the gestation period, which
28 occurs in this State shall be filed with the local registrar of the county in which the birth occurs
29 within ~~10~~five days after the birth and shall be registered by the registrar if it has been
30 completed and filed in accordance with this Article and the rules."

31 **SECTION 4.** G.S. 130A-101(b) reads as rewritten:

32 "(b) When a birth occurs in a hospital or other medical facility, the person in charge of
33 the facility shall obtain the personal data, prepare the certificate, secure the signatures required
34 by the certificate and file it ~~with the local registrar within five days after the birth.~~ in



1 accordance with subsection (a) of this section. The physician or other person in attendance shall
2 provide the medical information required by the certificate."

3 **SECTION 5.** This act is effective when it becomes law.