

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 549
Second Edition Engrossed 4/29/93
Finance Committee Substitute Adopted 5/20/93
Fourth Edition Engrossed 5/24/93
House Committee Substitute Favorable 7/1/93

Short Title: Crim. Record Checks/Area Personnel.

(Public)

Sponsors:

Referred to:

March 24, 1993

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT THE DEPARTMENT OF JUSTICE MAY PROVIDE
CRIMINAL RECORD CHECKS TO HOSPITALS, NURSING HOMES, AND
AREA MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND
SUBSTANCE ABUSE AUTHORITIES AND THEIR CONTRACT AGENCIES.

The General Assembly of North Carolina enacts:

Section 1. Article 4 of Chapter 114 of the General Statutes is amended by
adding a new section to read:

**"§ 114-19.3. Criminal record checks of personnel of hospitals, nursing homes, and
area mental health, developmental disabilities, and substance abuse
authorities and their contract agencies.**

The Department of Justice may provide a criminal record check to a hospital or
nursing home licensed under Chapter 131E of the General Statutes and to a hospital or
an area mental health, developmental disabilities, and substance abuse authority
licensed under Chapter 122C of the General Statutes, including a contract agency of an
area authority that is subject to the provisions of Article 4 of Chapter 122C of the
General Statutes, of an individual who is employed by the hospital, nursing home, area
authority, or contract agency or of an individual who has applied for employment with
the hospital, nursing home, area authority, or contract agency if the employee or
applicant consents to the record check. The information shall be kept confidential by

1 the hospital, nursing home, area authority, or contract agency that received the
2 information. Upon the disclosure of confidential information under this section by a
3 hospital, nursing home, area authority, or contract agency, the Department may refuse to
4 provide further criminal record checks to the hospital, nursing home, area authority, or
5 contract agency. The Department shall charge a fee of ten dollars (\$10.00) for
6 conducting a criminal record check under this section."

7 Sec. 2. This act is effective upon ratification.