

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

FILED SENATE  
Mar 17, 2015  
S.B. 302  
PRINCIPAL CLERK

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SENATE DRS25106-MG-59A (03/03)

Short Title: Establish Maternal Death Review Committee. (Public)

Sponsors: Senators Barefoot, D. Davis, and Tarte (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT ESTABLISHING A MATERNAL MORTALITY REVIEW COMMITTEE WITHIN  
3 THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REVIEW  
4 MATERNAL DEATHS AND MAKE RECOMMENDATIONS TO DECREASE  
5 MATERNAL MORTALITY IN THE FUTURE.

6 Whereas, maternal deaths are those that occur to women during pregnancy or within  
7 one year after delivery; and

8 Whereas, maternal deaths are a serious public health concern and have a tremendous  
9 family and societal impact; and

10 Whereas, the federal Centers for Disease Control and Prevention recommends that  
11 maternal deaths should be investigated through state-based maternal mortality reviews in order  
12 to institute the systemic changes needed to decrease maternal mortality; and

13 Whereas, no formal process exists in this State for the confidential identification,  
14 investigation, or dissemination of findings regarding maternal deaths; and

15 Whereas, there is a need to establish such a formal process to review maternal  
16 deaths in North Carolina; Now, therefore,  
17 The General Assembly of North Carolina enacts:

18 **SECTION 1.** Article 1B of Chapter 130A of the General Statutes is amended by  
19 adding a new Part to read:

20 "Part 5. Maternal Mortality Review Committee.

21 **"§ 130A-33.52. Maternal Mortality Review Committee; membership, compensation.**

22 (a) The Maternal Mortality Review Committee is established in the Department. The  
23 purpose of the committee is to reduce maternal mortality in this State by conducting  
24 multidisciplinary maternal death reviews and developing recommendations for the prevention  
25 of future maternal deaths.

26 (b) The Secretary shall appoint a multidisciplinary committee comprised of nine  
27 members who represent several academic disciplines and professional specializations essential  
28 to reviewing cases of mortality due to complications from pregnancy or childbirth. Committee  
29 members shall serve without compensation, but may receive travel reimbursement from funds  
30 available to the Department.

31 (c) The duties of the committee shall include:

32 (1) Identifying maternal death cases.

33 (2) Reviewing medical records and other relevant data.

34 (3) Contacting family members and other affected or involved persons to collect  
35 additional relevant data.

36 (4) Consulting with relevant experts to evaluate relevant data.



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1           (5) Making determinations regarding the preventability of maternal deaths.

2           (6) Making recommendations for the prevention of maternal deaths.

3           (7) Disseminating findings and recommendations to policy makers, health care  
4           providers, health care facilities, and the general public. Reports shall include  
5           aggregated, non-individually identifiable data.

6           (d) Licensed health care providers, health care facilities, and pharmacies shall provide  
7           reasonable access to the committee to all relevant medical records associated with a case under  
8           review by the committee. A health care provider, health care facility, or pharmacy providing  
9           access to medical records pursuant to this Part shall not be held liable for civil damages or be  
10           subject to any criminal or disciplinary action for good faith efforts to provide such records.

11           (e) Information, records, reports, statements, notes, memoranda, or other data collected  
12           pursuant to this Part shall not be permissible as evidence in any action of any kind in any court  
13           or before any other tribunal, board, agency, or person, nor shall they be exhibited nor their  
14           contents disclosed in any way, in whole or in part, by any officer or representative of the  
15           Department or any other person, except as may be necessary for the purpose of furthering the  
16           committee's review of the case to which they relate. No person participating in such review  
17           shall disclose, in any manner, the information so obtained except in strict conformity with the  
18           review process.

19           (f) All information, records of interviews, written reports, statements, memoranda, or  
20           other data obtained by the Department, the committee, and other persons, agencies, or  
21           organizations so authorized by the Department pursuant to this Part shall be confidential.

22           (g) All proceedings and activities of the committee pursuant to this Part, opinions of  
23           committee members formed as a result of such proceedings and activities, and records  
24           obtained, created, or maintained pursuant to this Part, including records of interviews, written  
25           reports, and statements procured by the Department or any other person, agency, or  
26           organization acting jointly or under contract with the Department in connection with the  
27           requirements of this Part, shall be confidential and shall not be subject to statutes relating to  
28           open meetings and open records, or subject to subpoena, discovery, or introduction into  
29           evidence in any civil or criminal proceeding; provided, however, that nothing in this Part shall  
30           be construed to limit or restrict the right to discover or use in any civil or criminal proceeding  
31           anything that is available from another source and entirely independent of the committee's  
32           proceedings.

33           (h) Members of the committee shall not be questioned in any civil or criminal  
34           proceeding regarding the information presented or opinions formed as a result of a meeting or  
35           communication of the committee; provided, however, that nothing in this Part shall be  
36           construed to prevent a member of the committee from testifying to information obtained  
37           independently of the committee or which is public information."

38           **SECTION 2.** This act becomes effective on December 1, 2015.