

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL 375

Short Title: Health Care Freedom Act. (Public)

Sponsors: Senator Johnson (Primary Sponsor).

Referred to: Rules and Operations of the Senate

March 28, 2023

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT A HEALTH CARE PROVIDER FROM REFUSING TO TREAT A
PATIENT BASED ON VACCINATION STATUS.

The General Assembly of North Carolina enacts:

SECTION 1. Article 1B of Chapter 90 of the General Statutes is amended by adding
a new section to read:

"§ 90-21.13A. Duty to provide health care treatment.

(a) No health care provider shall refuse to provide health care or professional services to
an individual seeking a health care treatment or an emergency medical condition, as defined in
42 U.S.C. § 1395dd(e)(1)(A), due to the individual's vaccination status at the time health care
treatment is requested or during the course of health care treatment. For the purposes of this
section, "vaccination status" means an indication of whether an individual has received a vaccine
of any kind.

(b) An individual may commence a civil action against a health care provider for a
violation of this section. A prevailing plaintiff is entitled to any one or more of the following:

(1) Damages, including punitive damages and actual damages.

(2) Injunctive and any other court-approved relief.

(3) Reasonable attorney fees and costs.

(c) A health care provider who violates this section shall be guilty of a Class 2
misdemeanor and shall be referred to the appropriate licensing agency for disciplinary action."

SECTION 2. This act becomes effective October 1, 2023.

