



HOUSE BILL 626: Forensic Medical Examination Costs/Revisions.

2021-2022 General Assembly

Committee:	House Judiciary 2. If favorable, re-refer to Health. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	May 11, 2021
Introduced by:	Reps. Richardson, Goodwin	Prepared by:	Susan Sitze Staff Attorney
Analysis of:	PCS to First Edition H626-CSSA-26		

OVERVIEW: *The Proposed Committee Substitute (PCS) for House Bill 626 would clarify the definition of "forensic medical examination" for purposes of the assistance program for victims of rape and sex offenses and require the Secretary of Public Safety to assess a civil penalty against any medical provider that bills a victim, the victim's insurance, or any other collateral source for the cost of a forensic medical examination. The PCS would also authorize the North Carolina Innocence Inquiry Commission to pay outside counsel with existing funds.*

BILL ANALYSIS:

Section 1 of the PCS for House bill 626 would revise G.S. 143B-1200, the law governing the assistance program for victims of rape and sex offenses, to clarify that a medical facility or medical professional that performs a forensic medical examination shall not bill the victim, the victim's personal insurance, Medicaid, Medicare, or any other collateral source for the examination and other eligible expenses. This section also clarifies the term "forensic medical examination" is to be read consistently with 28 C.F.R. §90.2(c) and includes any associated costs such as equipment, supplies, and facility fees.

This section would also require the Secretary of the Department of Public Safety to assess a civil penalty of \$25,000 per violation against any medical facility or medical professional that bills a victim, or a collateral source for a forensic medical examination.

Section 2 of the PCS would authorize the North Carolina Innocence Inquiry Commission to pay up to \$14,000 from existing funds for litigation services provided by outside counsel, provided such services were approved by the Governor pursuant to G.S. 147-17(a).

EFFECTIVE DATE: Section 1 of this act would become effective October 1, 2021, and apply to violations of those provisions and forensic medical examinations completed on or after that date. The remainder of the act would be effective when it becomes law.

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Legislative Analysis
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