



HOUSE BILL 576: Health Care Practitioner Transparency Act.

2023-2024 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	May 2, 2023
Introduced by:	Reps. K. Baker, Reeder, Potts, Paré	Prepared by:	Jessica Boney
Analysis of:	Third Edition		Staff Attorney

OVERVIEW: *The 3rd edition of House Bill 576 would require a health care practitioner's licensure, certification, or registration to be displayed on advertisements and required identification and would prohibit any deceptive or misleading representations about a health care practitioner's license, certification, or registration.*

CURRENT LAW: G.S. 90-640 requires health care practitioners to wear a badge or other form of identification that includes in readily visible type the practitioner's name and the license, certification, or registration held by the practitioner. The identification is not required to be worn if the patient is being seen in the health care practitioner's office and the required information is otherwise posted or displayed. Licensing board or other regulatory authorities for health care practitioners can adopt rules for exemptions from the identification requirements, including allowing use of the practitioner's first name only when necessary for safety or therapeutic concerns. Violations of this section are grounds for disciplinary action.

BILL ANALYSIS:

Section 1 would rename Article 37 of Chapter 90 of the General Statutes to the "Health Care Practitioner Transparency Act." **Section 2** would create definitions for "advertisement", "deceptive or misleading", "health care practitioner", and "licensee".

Section 3 would clarify the identification requirements for a health care practitioner who is providing health care to a patient. The health care practitioner must wear a badge or other form of identification that includes practitioner's (i) name and (ii) licensure, certification, or registration, in a form easily understandable to the patient. When reasonably possible, the identification would be required to include a photograph of the health care practitioner. A health care practitioner's last name could be excluded from the identification at the request of a practitioner who has a safety concern. The identification would be required to be of sufficient size and worn in a conspicuous manner to be visible and apparent. The identification would not have to include a license, certification, or registration number.

The health care practitioner would be required to display a written document in each practice setting of a health care practitioner identifying the type of license, certification, or registration held by the practitioner.

Section 4 would require an advertisement for health care services to identify the type of license, certification, or registration held by any named health care practitioners. A health care practitioner would be prohibited from making a deceptive or misleading representation about their license, certification, or registration. An unlicensed individual would be prohibited from holding oneself out to be a physician or using any specified title, including "medical doctor" or "M.D.".

A health care practitioner who violates this article would be guilty of unprofessional conduct and could be subject to disciplinary action by their respective licensure board.

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Health care practitioners working in non-patient settings or with no direct patient health care instructions would be exempt from these requirements.

Section 5 authorizes specified boards to adopt temporary rules.

EFFECTIVE DATE: The badge and identification requirements would be effective October 1, 2026, and the remainder of the act would be effective October 1, 2023.

**Brian Gwyn, Staff Attorney with the Legislative Analysis Division, substantially contributed to this summary.*