



HOUSE BILL 123: Criminal Falsification of Medical Records.

2025-2026 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:	March 4, 2025
Introduced by:	Rep. Pless	Prepared by:	Susan Sitze
Analysis of:	First Edition		Hannah Kendrick Staff Attorney

OVERVIEW: *House Bill 123 would create and establish punishments for the offense of willful destruction, alteration, or falsification of medical records.*

CURRENT LAW:

Article 29 of Chapter 90 pertains to Medical Records and the following definitions are included:

Health Care Provider – any person who is licensed or certified to practice a health profession or occupation under Chapter 90, Chapter 90B, or Chapter 90C of the General Statutes, a representative or agent of a health care provider, or a health care facility. G.S. 90-410(1).

Medical Record – personal information that relates to an individual's physical or mental condition, medical history, or medical treatment, excluding X rays and fetal monitor records. G.S. 90-410(2).

BILL ANALYSIS:

House Bill 123 would create the offense of willful destruction, alteration, or falsification of medical records.

A person would be guilty of willful destruction, alteration, or falsification of medical records if that person knowingly or willfully destroys, alters, or falsifies a medical record, or directs another to do so, for any of the following purposes:

- To conceal the commission of an error by the health care provider in providing medical services that caused injury or death to a patient. This would be a Class H felony.
 - Class H felony punishment ranges from unsupervised probation to an active sentence of 4 months minimum to 39 months maximum, depending on prior record level.
- To unlawfully obtain money or some other thing of value. This would be a Class I felony.
 - Class I felony punishment ranges from unsupervised probation to an active sentence of 3 months minimum to 24 months maximum, depending on prior record level.
- To conceal any material fact relating to a potential claim or cause of action. This would be a Class A1 misdemeanor.
 - Class A1 misdemeanor punishment ranges from a fine to an active sentence of 150 days, depending on the prior record level.

Nothing in this section would affect any civil remedies available.

EFFECTIVE DATE: This act would become effective December 1, 2025, and apply to offenses committed on or after that date.

Kara McCraw
Director



Legislative Analysis
Division
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