



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 33

AMENDMENT NO. 2
(to be filled in by
Principal Clerk)

S33-ATG-17 [v.1]

Page 1 of 1

Comm. Sub. [NO]
Amends Title [NO]
Second Edition

Date 3-2, 2011

Senator Stein

1 moves to amend the bill on page 1, lines 17-18 by rewriting the lines to read:

2 "**§ 90-21.12. Standard of health care.**"

3
4 and on page 1, lines 28-35, by rewriting the lines to read:
5 "(b) In any medical malpractice action arising out of the furnishing or the failure to furnish
6 services pursuant to obligations imposed by 42 U.S.C. §1395dd for an emergency medical
7 condition as defined in 42 U.S.C. §1395dd, the defendant health care provider shall not be
8 liable for the payment of damages unless the trier of fact finds by clear and convincing
9 evidence that the health care provider failed to comply with the standard of care required under
10 subsection (a) of this section. Nothing in this subsection shall be construed to change, alter,
11 override, or otherwise affect the provisions of G.S. 90-21.14, 90-21.15, 90-21.16, or 20-166."

SIGNED [Signature]
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED 16-33 (adj) TABLED _____
~~17-32~~
3-2-11
Janet Pruitt

FAILED

