

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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SENATE BILL 791

Short Title: Health Care Provider Solicitation.

(Public)

Sponsors: Senator Berger of Rockingham.

Referred to: Judiciary I.

March 23, 2005

A BILL TO BE ENTITLED

1 AN ACT TO SHORTEN THE TIME WITHIN WHICH HEALTH CARE
2 PROVIDERS ARE PROHIBITED FROM DIRECT SOLICITATION OF
3 PROSPECTIVE PATIENTS.
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5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 90-401.1 reads as rewritten:

7 "**§ 90-401.1. Direct solicitation prohibited.**

8 It shall be unlawful for a health care provider or the provider's employee or agent to
9 initiate direct personal contact or telephone contact with any injured, diseased, or
10 infirmed person, or with any other person residing in the injured, diseased, or infirmed
11 person's household, for a period of ~~90~~30 days following the injury or the onset of the
12 disease or infirmity, if the purpose of initiating the contact, in whole or in part, is to
13 attempt to induce or persuade the injured, diseased, or infirmed person to become a
14 patient of the health care provider. This section shall not be construed to prohibit a
15 health care provider's use of posted letters, brochures, or information packages to solicit
16 injured, diseased, or infirmed persons, so long as such use does not entail direct
17 personal contact with the person."

18 **SECTION 2.** This act is effective when it becomes law.