

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007**

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**HOUSE BILL 442\***

Short Title: Execution/Physician Assistance Authorized. (Public)

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Sponsors: Representatives Moore, Hilton, Current, Stam (Primary Sponsors); Almond, Blust, Boylan, Brown, Brubaker, Clary, Cleveland, Daughtride, Daughtry, Dockham, Dollar, Folwell, Frye, Gulley, Holloway, Holmes, Howard, Hurley, Johnson, Kiser, Langdon, Lewis, McComas, McElraft, McGee, Pate, Ray, Samuelson, Setzer, Spear, Starnes, Steen, Stiller, Sutton, Tillis, Walend, Walker, West, and Wiley.

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Referred to: Health, if favorable, Judiciary II.

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March 5, 2007

A BILL TO BE ENTITLED

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2 AN ACT TO ENSURE THAT ASSISTANCE RENDERED BY ANY HEALTH CARE  
3 PROFESSIONAL IN THE PROCESS OF A LAWFUL EXECUTION BY THE  
4 STATE DOES NOT RESULT IN DISCIPLINARY OR CORRECTIVE ACTION  
5 BY ANY STATE AUTHORIZED BOARD OR AUTHORITY, AND TO  
6 EXCLUDE THE ADMINISTRATION OF CONTROLLED SUBSTANCES USED  
7 IN AN EXECUTION FROM THE PRACTICE OF MEDICINE.

8 The General Assembly of North Carolina enacts:

9       **SECTION 1.** Article 19 of Chapter 15 of the General Statutes is amended by  
10 adding a new section to read:

11 **"§ 15-188.1. Health care professional assistance.**

12       (a) Any assistance rendered with an execution under this Article by any licensed  
13 health care professional, including, but not limited to, physicians, nurses, and  
14 pharmacists shall not be cause for any disciplinary or corrective measures by any board,  
15 commission, or other authority created by the State or governed by State law which  
16 oversees or regulates the practice of health care professionals, including, but not limited  
17 to, the North Carolina Medical Board, the North Carolina Board of Nursing, and the  
18 North Carolina Board of Pharmacy.

19       (b) The infliction of the punishment of death by administration of the required  
20 lethal substances under this Article shall not be construed to be the practice of  
21 medicine."

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