

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE DRH50516-MD-64 (04/10)

Short Title: Paramedics Can Screen Arrested Persons.

(Public)

Sponsors: Representative Folwell.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PREVENT LAW ENFORCEMENT OFFICERS FROM TAKING AN
ARRESTED PERSON TO JAIL IF THE ARRESTED PERSON COMPLAINS OF
INJURY OR SERIOUS ILLNESS, UNLESS A PARAMEDIC FIRST PERFORMS
AN EXAMINATION OF THE ARRESTED PERSON AND CONCLUDES THAT
THE PERSON DOES NOT NEED FURTHER MEDICAL TREATMENT.

The General Assembly of North Carolina enacts:

SECTION 1. Article 7 of Chapter 131E of the General Statutes is amended
by adding a new section to read:

"§ 131E-161.1. Screening of arrested persons by paramedics.

(a) If a person arrested by a law enforcement officer informs the officer that the person has a serious bodily injury or serious illness that requires immediate medical care and the law enforcement officer or available emergency medical services personnel cannot provide the care requested, the law enforcement officer shall not take the person to jail until one of the following occurs:

(1) The person receives medical care at a hospital or other facility that obviates the need for further immediate medical care.

(2) A paramedic concludes, after performing an examination of the arrested person, that the person does not need any medical care that the law enforcement officer or available emergency medical services personnel cannot provide.

(b) The following persons and entities are not liable for the death of, or injury to, arrested persons:

(1) A paramedic who performs an examination under this section.

(2) An EMS Provider with which a paramedic who performs an examination under this section volunteers or is employed.

(3) A law enforcement officer that complies with this section.

1 (4) A law enforcement agency that employs a law enforcement officer that
2 complies with this section.

3 (c) As used in this section, the term 'paramedic' means an emergency medical
4 technician-paramedic. As used in this section, the term 'jail' means a county jail, local
5 confinement facility, district confinement facility, or satellite jail/work release unit."

6 **SECTION 2.** This act becomes effective October 1, 2007.