

HB 98 & SB 121 (Medical Freedom) 2.13

Bill Number: [HB 98](#)

Bill Name: Medical Freedom Act

Bill Sponsors: Biggs (R-70), Hardister (R-59), N. Jackson (R-78), Lambeth (R-75)

Movement: Filed

Executive Summary: Would prohibit state agencies, local governments, schools, and health agencies from requiring proof of COVID-19 vaccination.

Detailed Summary:

- No state agency, city, county, or political subdivision of the state can deny employment or fire someone for refusing to submit proof of a COVID-19 vaccination(s).
 - They also cannot retaliate against any employee who files a claim or complaint on this.
- Public schools cannot adopt rules requiring masks or quarantine healthy students.
 - Parents can bring civil suits if these laws are violated.
- Public schools and universities cannot require proof of COVID-19 vaccination.
- No state or local public health agency, county government, or city government can require proof of COVID-19 vaccination for a future (applicant) or current employee.

HB 107 (Repeal CON) 2.13

Tuesday, February 14, 2023

10:47 AM

Bill Number: [HB 107](#) (SB 48)

Bill Name: Repeal Certificate of Need Laws

Bill Sponsors: Kidwell (R-79), Cleveland (r-14), Fontenot (R-24), Ward (R-5)

Movement: Filed

Executive Summary: Would repeal all of North Carolina's Certificate of Need Laws.

Detailed Summary:

- Essentially deletes Article 9 of Chapter 131 of the General Statues, which is the article that governs certificate of need.
- The rest of the redlining in the bill deletes all mention of Article 9 or legal reference to CON.

- The bill essentially leaves decision making and licensing approval up to boards and commissions including DHHS, but the statutory authority of approvals isn't very clear in the bill.
- No additions to any system to replace CON, just removals and adding some definitions on healthcare facilities and hospice.

HB 108 (Local Disease Funds) 2.13

Tuesday, February 14, 2023

10:50 AM

Bill Number: [HB 108](#)

Bill Name: Local Communicable Disease Programs/Funds.

Bill Sponsors: White (R-26), Potts (R-81), Lambeth (R-75), Sasser (R-67).

Movement: Filed

Executive Summary: Gives money to DHHS and DPH to continue addressing COVID-19 and future health emergencies, as well as maintain staff. Money divided between local health departments.

Detailed Summary:

- Would appropriate \$25 million for DHHS and the Division of Public Health for 2023-24 and 2024-25 to continue to do the following:
 - Continue to address the challenges of COVID-19
 - Prepare for potential future public health threats.
 - To retain additional communicable disease staff
- DHHS and DPH will do the following with said dollars:
 - Divide \$12.5 million equally between local health departments based on the number of counties served.
 - Divide the other \$12.5 million based on percentage of state population served.

HB 134 (SHP Admin) 2.15

Friday, February 17, 2023

12:40 PM

Bill Number: [HB 134](#)

Bill Name: SHP Claims Administrator Changes

Bill Sponsors: Goodwin (R-1)

Movement: Referred to State Personnel

Executive Summary: Would allow the State Health Plan (SHP) to access and utilize health insurance claims payment data while still protecting consumer data.

Detailed Summary:

- Would require frequent sharing of claim data with members of the SHP.
- Data showing the agreed upon rates shall be shared upon request by the Claims Processor, even if a third party.
- Would remove a rule disallowing the use of provide claim data to negotiate rates.
- The plan may disclose data to non-contracted third party to use on the plans behalf but will have to disclose this to the claims processor before doing so.
- Only the plan and the claims processor have rights to file suits regarding this data.

HB 127 (DOI Omnibus) 2.15

Friday, February 17, 2023

1:16 PM

Bill Number: [HB 127](#)

Bill Name: DOI Omnibus Bill

Bill Sponsors: Setzer (R-89), Humphrey (R-12)

Movement: Referred to Insurance

Executive Summary: Multiple small changes to DOI issues including workers comp, drug systems, and insurance plans.

Detailed Summary (health focus):

- Every health plan shall cover colon cancer screening and tests/examinations to any nonsystematic individual at least 45 or less than 45 with high risk factors. (Change from 50 to 45)
- Change drug database to the Micromedex DrugDex System for cancer related drugs approved by the FDA, which shall be covered by all health plans.
- The North Carolina Insurance Guaranty Association maximum threshold increased to \$500,000 (raise from \$300,000).
- Changes to transactions with insurance company holding system:
 - The Commissioner can determine that the continued operation of an insurer is hazardous to the policy holders, general public, or creditors.

- If the agreement is hazardous, the Commissioner will require a bond or deposit from the insurer until the hazardous conditions are removed, not to exceed the value of the original contract.
- All records of the insurer held by an affiliate remain their property, can be severed from the affiliate information at no additional costs, and can be provided to the insurer at any time.
 - If the agreement ends between the two parties, records will be returned to the insurer.
- Premiums are property of the insurer.
- All data and records will be returned to an insurer if the contract is terminated, and rights of the insurer extend to the commissioner.
- The commissioner has the right to ask affiliate employees available if required to maintain performance of the services of the insurer and provide services deemed essential if the contract is terminated.
 - The same will be required of the insurer if seized, supervised, etc. by the Commissioner.
- Changes related to the administration of workers compensations large deductible policies and insured collateral in liquidation proceedings.

SB 116 (Youth Nicotine) 2.15

Friday, February 17, 2023
12:53 PM

Bill Number: [SB 116](#)

Bill Name: 2023 Youth END Act

Bill Sponsors: Corbin (R-50), Adcock (D-16), Burgin (R-12)

Movement: Referred to Rules

Executive Summary: Would implement funds for local health departments, campaigns, military, etc. from the Tobacco Use Prevention Fund to decrease youth usage of electronic cigarettes and nicotine.

Detailed Summary:

- Would create the Tobacco Use Prevention Fund, which would prevent the use of new and emerging tobacco products, including electronic cigarette, especially for youth and people of childbearing age, using money from the Settlement Reserve Fund.
- The Department of Health and Human Services must use the money to do the following:
 - Fund local health departments to create community-based education/training youth on preventing use of these tobacco products.
 - Evidence based media and education campaigns on tobacco use.

- Increase military readiness by decreasing tobacco usage, cessation policy, and education on this.
- Grants to help community colleges be a tobacco free campus.
- Tracking tobacco use exposure, including e-cigarette exposure in youth.
- Technical assistance for regional tobacco use prevention programs.
- Conduct analysis on the effectiveness of the program.
- 10% of the fund may be used each fiscal year by DHHS.
- An annual report must be conducted each year.
- The fund will receive \$17 million each year, and another \$17.4 will go to the Golden LEAF Foundation.