

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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SENATE BILL 161

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

Sponsors: Senators Berger of Rockingham; Allran, Blake, Brock, Brown, East, Forrester,  
Goodall, Hunt, Jacumin, and Tillman.

Referred to: Judiciary I.

February 12, 2009

A BILL TO BE ENTITLED

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

The General Assembly of North Carolina enacts:

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

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

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

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

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

