

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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HOUSE BILL 123
Committee Substitute Favorable 3/18/25

Short Title: Criminal Falsification of Medical Records.

(Public)

Sponsors:

Referred to:

February 17, 2025

A BILL TO BE ENTITLED
AN ACT TO CREATE THE OFFENSE OF WILLFUL DESTRUCTION, ALTERATION, OR
FALSIFICATION OF, OR OMISSION OF INFORMATION FROM MEDICAL
RECORDS.

The General Assembly of North Carolina enacts:

SECTION 1. Article 52 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-401.28. Willful destruction, alteration, or falsification of, or willful omission of information from medical records.

(a) Definitions. – The following definitions apply to this section:

(1) Health care provider. – Any individual who is licensed, certified, or credentialed under Chapter 90, 90B, or 90C of the General Statutes, or Article 7 of Chapter 131E of the General Statutes.

(2) Medical record. – Personal information that relates to an individual's physical or mental condition, medical history, or medical treatment.

(b) Unless the conduct is covered under some other provision of law providing greater punishment, any health care provider who knowingly and willfully destroys, alters, falsifies, or omits information from a medical record; directs any individual to destroy, alter, falsify, or omit information from a medical record; or conspires with one or more health care providers to destroy, alter, falsify, or omit information from a medical record for the purpose of concealing the commission of a medical error, or abuse or neglect of a patient, by a health care provider in providing medical services that caused serious injury to or the death of a patient is guilty of a Class H felony.

(c) Unless the conduct is covered under some other provision of law providing greater punishment, any health care provider who knowingly and willfully destroys, alters, falsifies, or omits information from a medical record; directs any individual to destroy, alter, falsify, or omit information from a medical record; or conspires with one or more health care providers to destroy, alter, falsify, or omit information from a medical record for the purpose of concealing any material fact not covered under subsection (b) of this section relating to any potential claim or cause of action arising from a health care provider providing medical services is guilty of a Class A1 misdemeanor.

(d) Unless the conduct is covered under some other provision of law providing greater punishment, any health care provider or other individual who offers or receives money or any other thing of value in exchange for the destruction of, alteration of, falsification of, or omission of information from a medical record for either purpose identified in subsection (a) or (b) of this section is guilty of a Class I felony.



1 (e) Civil Remedies. – Nothing in this section shall affect any civil remedies available for
2 actions punishable under this section."

3 **SECTION 2.** This act becomes effective December 1, 2025, and applies to offenses
4 committed on or after that date.