

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

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HOUSE BILL 585  
Committee Substitute Favorable 4/28/21

Short Title: Fail to Report Crime/Privilege Exemption.

(Public)

Sponsors:

Referred to:

April 19, 2021

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT LICENSED MARRIAGE AND FAMILY THERAPISTS AND  
PSYCHIATRISTS ARE NOT REQUIRED TO REPORT CERTAIN CRIMES AGAINST  
JUVENILES IF A PRIVILEGE AGAINST DISCLOSURE UNDER STATE LAW WOULD  
PREVENT THEM FROM DOING SO.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 14-318.6(h) reads as rewritten:

"(h) Nothing in this section shall be construed as to require a person with (i) a privilege under G.S. 8-53.3, 8-53.7, 8-53.8, or ~~8-53.12~~ or ~~with 8-53.12~~, (ii) attorney-client ~~privilege~~ privilege, or (iii) psychiatrist-client or patient privilege to report pursuant to this section if that privilege would prevent them from doing so. Nothing in this section shall be construed as requiring a licensed marriage and family therapist with a privilege under G.S. 8-53.5 to report pursuant to this section if that privilege would prevent that person from doing so, but the privilege only applies to the primary client and not to any other family members. For purposes of this subsection, the term "primary client" means a person who consults or is interviewed by a licensed marriage and family therapist for the purpose of diagnosis or treatment."

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

