

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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SENATE BILL 1038

Short Title: Henry's Law.

(Public)

Sponsors: Senator Lee (Primary Sponsor).

Referred to: Rules and Operations of the Senate

May 4, 2026

A BILL TO BE ENTITLED

AN ACT TO REQUIRE DENTISTS TO REPORT ADVERSE EVENTS TO THE NORTH CAROLINA BOARD OF DENTAL EXAMINERS AND TO DIRECT THE COLLABORATORY TO CONDUCT A STUDY OF ANESTHESIA PROVIDER REQUIREMENTS AND APPROPRIATE FUNDS FOR THAT PURPOSE.

The General Assembly of North Carolina enacts:

SECTION 1. Article 2 of Chapter 90 of the General Statutes is amended by adding a new section to read:

"§ 90-30.3. Reports of adverse events.

(a) A dentist who holds a permit to administer general anesthesia or sedation shall submit an adverse event report to the Board within 72 hours after each adverse event if the patient dies or has permanent organic brain dysfunction within 24 hours after the administration of general anesthesia or sedation. Sedation permit holders shall cease administration of sedation until the Board has investigated the death or permanent organic brain dysfunction and approved resumption of permit privileges. General anesthesia permit holders shall cease administration of general anesthesia and sedation until the Board has reviewed the adverse event report and approved resumption of permit privileges.

(b) A dentist who holds a permit to administer general anesthesia or sedation shall submit an adverse event report to the Board within 30 days after each adverse event if the patient is admitted to a hospital on inpatient status for a medical emergency or physical injury within 24 hours after the administration of general anesthesia or sedation.

(c) A dentist who holds a permit to administer general anesthesia or sedation shall submit an adverse event report to the Board within 30 days after each adverse event.

(d) The adverse event report shall be in writing and shall include, at a minimum, all of the following:

(1) Dentist's name, license number, and permit number.

(2) Date and time of the occurrence.

(3) Facility where the occurrence took place.

(4) Name and address of the patient.

(5) Surgical procedure involved.

(6) Type and dosage of sedation or anesthesia utilized in the procedure.

(7) Circumstances involved in the occurrence.

(8) The entire patient treatment record, including anesthesia records.

(e) Upon receipt of an adverse event report under this section, the Board shall investigate and shall take disciplinary action if the evidence demonstrates that a licensee has violated this Article.



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1 (f) For the purposes of this section, the term "adverse event" means any of the following
2 clinical emergencies: anaphylaxis, aspiration, cardiac arrest, or unplanned advanced airway
3 placement."

4 **SECTION 2.** The North Carolina Policy Collaboratory at the University of North
5 Carolina at Chapel Hill shall conduct a study to evaluate whether a second health care provider
6 who is qualified to provide anesthesia services is needed when utilizing drugs that can lead to
7 deep sedation, such as propofol. The Collaboratory shall submit a report to the Joint Legislative
8 Oversight Committee on Health and Human Services by April 1, 2027, with any legislative
9 recommendations addressing this issue.

10 **SECTION 3.** There is appropriated from the General Fund to the Board of Governors
11 of The University of North Carolina to allocate to the North Carolina Policy Collaboratory at the
12 University of North Carolina at Chapel Hill the sum of one hundred thousand dollars (\$100,000)
13 in nonrecurring funds for the 2026-2027 fiscal year to conduct the study under Section 2 of this
14 act.

15 **SECTION 4.** Section 1 of this act becomes effective October 1, 2026. Section 3 of
16 this act becomes effective July 1, 2026. The remainder of this act is effective when it becomes
17 law.