



CHAPTER 32A

ARTICLE 3 - HEALTH CARE POWERS OF ATTORNEY

N.C.G.S. § 32A-16.1.

Health care powers of attorney executed during state of emergency.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	No amendment history on record	21 September 2026, 03:43 UTC	f62c2c052b6a342606d57dc3 - 8fc68640bec90d010611263d - 67ba3a88e2707bb5

- § 32A-16.1(a)** The requirement of G.S. 32A-16(3) that a health care power of attorney be executed in the presence of two qualified witnesses shall be waived for all instruments executed on or after the effective date of this section and prior to termination of the state of emergency declared by Governor Roy Cooper in Executive Order No. 116, on March 10, 2020, as the same may be extended by any subsequent executive order, such that an instrument that is signed by the principal, properly acknowledged before a notary public, and otherwise executed in compliance with the provisions of this Article shall not be invalidated by the principal's failure to execute the health care power of attorney in the presence of two qualified witnesses.
- § 32A-16.1(b)** Health care powers of attorney executed without two qualified witnesses during the time period defined in subsection (a) of this section shall contain a short and plain statement indicating that the instrument was executed in accordance with the procedures of this section.
- § 32A-16.1(c)** This section shall expire at 12:01 A.M. on August 1, 2020; provided, however, all instruments made in accordance with this section and while this section is in effect shall remain effective and shall not need to be reaffirmed. (2020-3, s. 4.10(b).)

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS II

1 AUTHORITY

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 32A-16(3)	(a)	"The requirement of"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 32A-16.1 (2026).

PINPOINT

N.C. Gen. Stat. § 32A-16.1(a) (2026).

Pinpoint keys are set in the left margin of the text rather than line numbers; subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

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