

Bill No. SB 2120

Amendment No. 2 Barcode 781926

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	The Committee on Health, Aging, and Long-Term Care recommended		
12	the following amendment:		
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14	Senate Amendment (with title amendment)		
15	On page 25, between lines 10 and 11,		
16			
17	insert:		
18	Section 13. A new paragraph (c) is added to subsection		
19	(2) and the current paragraph (c) of that subsection is		
20	redesignated as paragraph (d), to read:		
21	768.13 Good Samaritan Act; immunity from civil		
22	liability.--		
23	(2)(c)1. <u>Any licensed or certified health care</u>		
24	<u>practitioner in a hospital who provides medical care or</u>		
25	<u>treatment in a hospital to a patient or person with whom the</u>		
26	<u>practitioner has no preexisting provider-patient relationship,</u>		
27	<u>when such care or treatment is necessitated by a sudden or</u>		
28	<u>unexpected situation or by an occurrence that demands</u>		
29	<u>immediate medical attention, shall not be held liable for any</u>		
30	<u>civil damages as a result of any act or omission relative to</u>		
31	<u>that care or treatment, unless the care or treatment is proven</u>		

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1 to amount to conduct demonstrating a reckless disregard for
2 the life or health of the victim.

3 2. The immunity provided by this paragraph does not
4 apply to damages as a result of any act or omission of
5 providing medical care or treatment unrelated to the original
6 situation that demanded immediate medical attention.

7 3. For purposes of this paragraph, the term "reckless
8 disregard" as it applies to a given health care provider
9 rendering immediate medical care or treatment means conduct
10 that a health care provider knew or should have known, at the
11 time such services were rendered, would be likely to result in
12 injury so as to affect the life or health of another, taking
13 into account the following to the extent they may be present:

14 a. The extent or serious nature of the circumstances
15 prevailing.

16 b. The lack of time or ability to obtain appropriate
17 consultation.

18 c. The lack of a prior patient-physician relationship.

19 d. The inability to obtain an appropriate medical
20 history of the patient.

21 e. The time constraints imposed by coexisting
22 emergencies.

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24 (Redesignate subsequent sections.)

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26
27 ===== T I T L E A M E N D M E N T =====

28 And the title is amended as follows:

29 On page 2, line 29, after the word "jury;"

30
31 insert:

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1 extending immunity from liability to certain
2 health care practitioners in a hospital;
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