



HB 0461

2003

1 A bill to be entitled
2 An act relating to the Uniform Commercial Code; amending
3 s. 672.316, F.S.; providing that the procurement,
4 processing, storage, distribution, or use of blood shall
5 be considered a medical service; providing an effective
6 date.

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8 Be It Enacted by the Legislature of the State of Florida:

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10 Section 1. Subsection (5) of section 672.316, Florida
11 Statutes, is amended to read:

12 672.316 Exclusion or modification of warranties.--

13 (5) The procurement, processing, storage, distribution, or
14 use of whole blood, plasma, blood products, and blood
15 derivatives for the purpose of injecting or transfusing the
16 same, or any of them, into the human body for any purpose
17 whatsoever is declared to be the rendering of a medical service
18 by any person participating therein and does not constitute a
19 sale, whether or not any consideration is given therefor; and
20 the implied warranties of merchantability and fitness for a
21 particular purpose are not applicable ~~as to a defect that cannot~~
22 ~~be detected or removed by a reasonable use of scientific~~
23 ~~procedures or techniques.~~

24 Section 2. This act shall take effect upon becoming a law.