

HB 1067

2005

1 A bill to be entitled
2 An act relating to medical negligence; amending s.
3 766.102, F.S.; providing that an agreement waiving a
4 claimant's right to certain damages in a medical
5 negligence action is null and void; 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 (13) is added to section 766.102,
11 Florida Statutes, to read:

12 766.102 Medical negligence; standards of recovery; expert
13 witness.--

14 (13) In any action brought pursuant to this chapter for
15 personal injury or wrongful death arising from the medical
16 negligence of a health care provider as defined in s.
17 766.202(4), any agreement whereby a claimant attempts to waive
18 his or her rights as guaranteed by s. 26, Art. I of the State
19 Constitution is null and void.

20 Section 2. This act shall take effect July 1, 2005.