

By Senator Garcia

40-01304-11

20111924__

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

A bill to be entitled
 An act relating to sovereign immunity; amending s.
 768.28, F.S.; providing certain medical schools with
 sovereign immunity protection while their employees
 and students provide services to public health trust
 patients at certain hospitals and health care
 facilities; providing an effective date.

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

Section 1. Subsection (21) is added to section 768.28,
 Florida Statutes, to read:

768.28 Waiver of sovereign immunity in tort actions;
 recovery limits; limitation on attorney fees; statute of
 limitations; exclusions; indemnification; risk management
 programs.—

(21) An accredited school of medicine that is not otherwise
 considered a state agency or subdivision for purposes of this
 section is considered a state agency or subdivision for purposes
 of this section while a health care practitioner, as defined s.
 456.001, employed by the school or a student of the school who
 is studying to become a practitioner is providing health care
 services to a public health trust patient at a hospital, as
 defined in s. 395.002, that is publicly owned or controlled or a
 publicly owned or controlled health care facility, as defined in
 s. 408.07, that is affiliated with such a hospital.

Section 2. This act shall take effect July 1, 2011.