

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Kriseman offered the following:

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3 **Substitute Amendment for Amendment (542017)**

4 Remove lines 748-760 and insert:

5 treatment was rendered with reckless disregard ~~as a reasonably~~
6 ~~prudent person similarly licensed to practice medicine would~~
7 ~~have acted under the same or similar circumstances.~~

8 (3) A practitioner licensed under chapter 458, chapter
9 459, chapter 460, or s. 464.012 who gratuitously and in good
10 faith conducts an evaluation pursuant to s. 1006.20(2)(c) is not
11 liable for any civil damages arising from that evaluation unless
12 the evaluation was conducted with reckless disregard.

13 (4) For purposes of this section, the term "reckless
14 disregard" as it applies to a given health care provider
15 rendering services subject to this section is conduct that a
16 health care provider knew or should have known, at the time such

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17 services were rendered, that created an unreasonable risk of
18 injury so as to affect the life or health of another, and such
19 risk was substantially greater than that which is necessary to
20 make the conduct negligent.

21 (5) The immunity provided by this section does not apply
22 to damages as a result of any act or omission of providing
23 medical care or treatment unrelated to the original cause that
24 demanded immediate medical attention.
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