
DIGEST

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Mills

HB No. 53

Abstract: Provides that during a declared state of emergency, the limitation of liability for health care providers who gratuitously render emergency health care to persons injured as a result of the emergency extends to any area in which the emergency health care is rendered.

Present law provides that a person shall not be held liable for death, injury, or destruction to property if they, in good faith and without charge, render health care services, first aid, or emergency services to a person injured in a disaster area as a result of the emergency. Limitation does not apply if the person rendering the care acts in gross negligence or willful misconduct.

Proposed law extends the limitation of liability to emergency health care services rendered anywhere in the state, provided that the health care providers render the care without compensation of any kind. Provides that the limitation applies when the injury to, or death of, or damage to property involves the person receiving the emergency care.

(Amends R.S. 29:735.2(A))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill.

1. Clarifies that the health care provider renders services as a result of the emergency.

House Floor Amendments to the engrossed bill.

1. Provides that, in order to be covered by the limitation, a health care provider must render the care without compensation of any kind.
2. Provides that the limitation applies when the injury to, or death of, or damage to property involves the person receiving the emergency care.