

CHAPTER 12**(HB 159)**

AN ACT relating to immunity from criminal liability for health care providers.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 311 IS CREATED TO READ AS FOLLOWS:

(1) As used in this section:

(a) "Health care provider" means:

- 1. An employee of a health facility, as defined in KRS 216B.015(13); or**
- 2. A person providing health services, including those licensed, certified, or registered under, or subject to, KRS 194A.700 to 194A.729 or KRS Chapter 311, 311A, 311B, 312, 313, 314, 314A, 315, 319A, 319B, 320, 327, or 333; and**

(b) "Health services" has the same meaning as in KRS 216B.015.

- (2) Notwithstanding any provision of law to the contrary, a health care provider providing health services shall be immune from criminal liability for any harm or damages alleged to arise from an act or omission relating to the provision of health services, except as provided in subsection (3) of this section.**
- (3) Nothing in this section limits any liability for gross negligence or wanton, willful, malicious, or intentional misconduct.**
- (4) Nothing in this section shall be construed to amend, repeal, or alter any other immunity, defense, limitation of liability, or procedure available or required under any other law or contract.**

Signed by Governor March 26, 2024.