

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

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

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

5 **(1) As used in this section:**

6 **(a) "Health care provider" means:**

7 **1. An employee of a health facility, as defined in KRS 216B.015(13); or**

8 **2. A person providing health services, including those licensed, certified,**
9 **or registered under, or subject to, KRS 194A.700 to 194A.729 or KRS**
10 **Chapter 311, 311A, 311B, 312, 313, 314, 314A, 315, 319A, 319B, 320,**
11 **327, or 333; and**

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

13 **(2) Notwithstanding any provision of law to the contrary, a health care provider**
14 **providing health services shall be immune from criminal liability for any harm or**
15 **damages alleged to arise from an act or omission relating to the provision of**
16 **health services, except as provided in subsection (3) of this section.**

17 **(3) Nothing in this section limits any liability for gross negligence or wanton, willful,**
18 **malicious, or intentional misconduct.**

19 **(4) Nothing in this section shall be construed to amend, repeal, or alter any other**
20 **immunity, defense, limitation of liability, or procedure available or required**
21 **under any other law or contract.**