

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, unless the context otherwise requires:

6 (a) "Health care provider" means:

7 1. An employee of a health facility as defined in KRS 216B.015; or

8 2. Any person providing health services, including those licensed,
9 certified, registered under, or subject to KRS 194A.700 to 194A.729 or
10 KRS Chapter 311, 311A, 311B, 312, 313, 314, 314A, 315, 319A, 319B,
11 320, 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 shall
14 be immune from criminal liability for any harm or damages alleged to arise from
15 an act or omission relating to the provision of health services, except as provided
16 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.