

SECOND REGULAR SESSION

HOUSE BILL NO. 2083

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE KEATHLEY.

4163H.01I

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 191, RSMo, by adding thereto one new section relating to immunity from criminal liability for health care providers.

Be it enacted by the General Assembly of the state of Missouri, as follows:

- Section A. Chapter 191, RSMo, is amended by adding thereto one new section, to be known as section 191.622, to read as follows:
- 191.622. 1. As used in this section, the following terms mean:**
- (1) "Health care provider":**
 - (a) An employee of a health facility; or**
 - (b) A person providing health care services, including those licensed, certified, or registered under, or subject to, sections 324.050 to 324.089; sections 324.475 to 324.499; or chapter 190, 198, 330, 331, 332, 334, 335, 336, or 338;**
 - (2) "Health care service", the same meaning given to the term in section 376.1350;**
 - (3) "Health facility", a facility as defined in section 376.1350.**
- 2. Notwithstanding any provision of law to the contrary, a health care provider providing health care 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 care 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.**

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 **4. Nothing in this section shall be construed to amend, repeal, or alter any other**
17 **immunity, defense, limitation of liability, or procedure available or required under any**
18 **other law or contract.**

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