
DIGEST

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HB 745 Original

2020 Regular Session

Villio

Abstract: Limits the liability of medical personnel who render care during a state of public health emergency declared by the governor in accordance with the La. Health Emergency Powers Act.

Present law provides that medical personnel who, in good faith and regardless of compensation, render or fail to render emergency care, healthcare services, or first aid during a declared state of emergency when the state of emergency affects the rendering of medical care shall not be liable for any civil damages or injury as a result of any act or omission related to the rendering of or failure to render services, unless the damages or injury was caused by gross negligence or willful and wanton misconduct.

Present law applies to a state of emergency as declared by the governor in accordance with the La. Homeland Security and Emergency Assistance and Disaster Act.

Proposed law retains present law and applies present law to a state of public health emergency as declared by the governor in accordance with the La. Health Emergency Powers Act.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 37:1731.1)