

RÉSUMÉ DIGEST

ACT 234 (HB 16)

2025 Regular Session

Schlegel

New law provides that any nonprofit organization that gratuitously donates medical equipment or supplies which are in proper working condition at the time of the donation and have not been the subject of any product recall prior to or at the time of the donation shall not be liable to any person for any injury, death, loss, civil penalty, or damages as a result of the subsequent use of any donated medical equipment or supplies.

New law provides that a nonprofit organization may be liable to a person for injury, death, loss, civil penalty, or damages as a result of donated medical equipment or supplies if the damages or injuries were caused by gross negligence or willful or wanton misconduct of the nonprofit organization or its employees and authorized agents.

New law requires donated medical equipment and supplies to be in proper working condition at the time of donation and not subject to a product recall prior to the time of donation for the limitation of liability to apply.

New law includes employees and authorized agents of the nonprofit organization to be subject to liability if the damage was caused by gross negligence or willful or wanton misconduct.

Effective August 1, 2025.

(Adds R.S. 9:2793.13)