The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Christine Arbo Peck.

## DIGEST 2016 Regular Session

Gatti

<u>Proposed law</u> provides that it shall be considered an intentional tort and not subject to the provisions of <u>present law</u> relative to medical malpractice claims for a physician to hold himself out as a specialist in an area of medicine for which he is not board certified or credentialed in as defined in proposed law.

<u>Present law</u> defines a physician as a person with an unlimited license to practice medicine in this state.

<u>Proposed law</u> clarifies that a physician may also have specialist training in a particular discipline and possess board certification or credentialing.

Present law does not define specialist.

SB 36 Original

<u>Proposed law</u> defines that specialist means a physician who is qualified by having completed advanced clinical training and education in a specific area of medicine to obtain certification by a specialty examining board.

<u>Present law</u> states circumstances when a health care provider fails to qualify under medical malpractice provisions.

<u>Proposed law</u> clarifies that intentionally representing oneself as a specialist without having obtained the required clinical training, education and board certification shall cause a physician, his employer, hospital or corporation to be subject to liability under the general tort law.

Effective August 1, 2016.

(Amends R.S. 40:1231.1(A)(13), (16), (21), (22), (23), and (D))