

THE HOUSE OF REPRESENTATIVES
Monday, March 1, 2010

Committee Substitute for
House Bill No. 1658

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1658 - By: DORMAN of the House.

An Act relating to torts; providing limited malpractice protection for certain health care providers; defining terms; limiting application to actions filed after a certain date; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

1 SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma
2 Statutes as Section 32.1 of Title 76, unless there is created a duplication in numbering,
3 reads as follows:

4 A. Any physician or health care provider providing medical services at a secondary
5 school athletic event in this state who renders or attempts to render emergency care to
6 an injured participant who is in need of immediate medical aid shall not be liable for
7 damages as a result of any acts or omissions except for committing gross negligence or
8 willful or wanton negligence in rendering the emergency care.

9 B. As used in this section:

10 1. "Health care provider" means any person or other entity who is licensed, certified
11 or otherwise authorized by the provisions of Title 59 or Title 63 of the Oklahoma Statutes

1 to render health care services in the practice of a profession or in the ordinary course of
2 business;

3 2. "Health care services" means any services provided by a health care provider, or
4 by an individual working for or under the supervision of a health care provider, that
5 relate to the diagnosis, assessment, prevention, treatment or care of any human illness,
6 disease, injury or condition; and

7 3. "Physician" means any person who is a physician licensed, certified or otherwise
8 authorized to render health care services in this state.

9 C. This section shall apply to all civil actions filed on or after January 1, 2011.

10 SECTION 2. This act shall become effective January 1, 2011.

11 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET,
12 dated 02-25-10 - DO PASS, As Amended.