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THE STATE SENATE  
Thursday, March 25, 2010

ENGROSSED  
House Bill No. 1658  
As Amended

ENGROSSED HOUSE BILL NO. 1658 - By: Dorman, Kern, Luttrell and Wesselhoft of the House and Barrington of the Senate.

[ torts - limited malpractice protection - limiting application - codification - effective date ]

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

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

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

B. As used in this section:

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

1 services in the practice of a profession or in the ordinary course  
2 of business;

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

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

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

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

14 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 3-23-10 - DO  
15 PASS, As Amended and Coauthored.