

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 physician or health care provider, or by an individual working under
5 their supervision, that relate to the diagnosis, assessment,
6 prevention, treatment or care of any human illness, disease, injury
7 or condition;

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; and

11 4. "Volunteer capacity" means health care services provided
12 without remuneration regardless of whether or not the health care
13 services are prearranged. Admission without cost to the elementary
14 or secondary school event does not constitute remuneration.

15 B. Any physician or health care provider providing health care
16 services in a volunteer capacity at a an elementary or secondary
17 school function in this state who renders or attempts to render care
18 to an injured participant who is in need of immediate medical aid
19 shall not be liable for damages as a result of any acts or omissions
20 except for committing gross negligence or willful or wanton
21 negligence in rendering the emergency care.

22 C. This section shall apply to all civil actions involving any
23 physician or health care provider providing health care services in

1 a volunteer capacity at a secondary school function in this state
2 who renders or attempts to render care to an injured participant who
3 is in need of immediate medical aid filed on or after January 1,
4 2011. This section shall apply to all civil actions involving any
5 physician or health care provider providing health care services in
6 a volunteer capacity at an elementary school function in this state
7 who renders or attempts to render care to an injured participant who
8 is in need of immediate medical aid filed on or after November 1,
9 2011.

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

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12 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 02-22-2011 - DO
13 PASS, As Coauthored.