

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**

A Bill

HOUSE BILL 1292

4 **By: Representative Stewart and Wooldridge**

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For An Act To Be Entitled

8 "AN ACT TO GRANT IMMUNITY FROM CIVIL DAMAGES TO CERTAIN
9 PROFESSIONALS AND HOSPITALS WHEN RENDERING THEIR SERVICES
10 VOLUNTARILY WITHOUT COMPENSATION; AND FOR OTHER PURPOSES."

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Subtitle

13 "AN ACT TO GRANT IMMUNITY FROM CIVIL DAMAGES TO CERTAIN
14 PROFESSIONALS AND HOSPITALS WHEN RENDERING THEIR SERVICES
15 VOLUNTARILY WITHOUT COMPENSATION."

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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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19 SECTION 1. When physicians, optometrists, podiatrists, chiropractors,
20 nurses, dentists or attorneys who are licensed to practice their professions
21 in this state render professional services to patients or clients voluntarily,
22 without compensation, and who at the time of accepting a patient or client
23 designate that patient or client as a charitable patient or client to whom
24 professional services shall be rendered absolutely free of charge or
25 compensation, shall not be liable for any civil damages for any act or
26 omission resulting from the rendering of such voluntary, uncompensated
27 services when the licensed professional voluntarily does not seek compensation
28 at any time for the services rendered to the charitable patient or client and
29 such act or omission was not the result of the licensee's gross negligence or
30 willful misconduct.

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32 SECTION 2. No hospital licensed in this state shall be liable to a
33 patient admitted for charitable care who at the time of admission to the
34 hospital is designated as a charitable patient to whom services shall be
35 rendered absolutely free of charge or compensation, for any civil damages

1 resulting from any act or omission of its medical staff or employees if the
2 hospital voluntarily does not seek compensation at any time for the services
3 of such medical staff or employees rendered to the patient admitted for
4 charitable care and if the act or omission was not the result of the person's
5 gross negligence or willful misconduct.

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7 SECTION 3. All provisions of this act of a general and permanent nature
8 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
9 Revision Commission shall incorporate the same in the Code.

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11 SECTION 4. If any provision of this act or the application thereof to
12 any person or circumstance is held invalid, such invalidity shall not affect
13 other provisions or applications of the act which can be given effect without
14 the invalid provision or application, and to this end the provisions of this
15 act are declared to be severable.

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17 SECTION 5. All laws and parts of laws in conflict with this act are
18 hereby repealed.

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20 /s/Charles W. Stewart, et al

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