

Hall of the House of Representatives
86th General Assembly - Regular Session, 2007
Amendment Form

Subtitle of House Bill No. 1282

"TO EXTEND CIVIL IMMUNITY TO PERSONS WHO RENDER VOLUNTARY DENTAL
SERVICES AT FREE OR LOW-COST DENTAL CLINICS."

Amendment No. 2 to House Bill No. 1282.

Amend House Bill No. 1282 as engrossed, H1/24/07 (version: 01-24-2007 08:34):

Add Representative Medley as a cosponsor of the bill

AND

Page 1, delete lines 12 through 14, and substitute the following:
"AN ACT TO CLARIFY THAT CIVIL IMMUNITY IS EXTENDED TO DENTISTS AND OTHER
HEALTH CARE PROFESSIONALS WHO RENDER VOULUNTARY HEALTH CARE SERVICES AT FREE
OR LOW-COST HEALTH CARE CLINICS; AND FOR OTHER PURPOSES."

AND

Page 1, delete lines 17 through 19, and substitute the following:
"TO CLARIFY THAT CIVIL IMMUNITY IS EXTENDED TO DENTISTS AND OTHER HEALTH CARE
PROFESSIONALS WHO RENDER VOULUNTARY HEALTH CARE SERVICES AT FREE OR LOW-COST
HEALTH CARE CLINICS."

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 16-6-201 is amended to read as follows:
16-6-201. Indigent care - Regulations.

(a) Physicians ~~and~~ , dentists, or other health care professionals who are licensed under the laws of the State of Arkansas, and who render ~~medical health care~~ services voluntarily and without compensation to any person at any free or low-cost ~~medical health care~~ clinic located in the State of Arkansas and registered by the State Board of Health, which accepts no insurance payments and provides ~~medical health care~~ services free of charge to persons unable to pay or provides ~~medical health care~~ services for a nominal fee, shall not be liable for any civil damages for any act or omission resulting from the rendering of such ~~medical health care~~ services, unless such act or omission was the result of such licensee's gross



negligence or willful misconduct.

(b)(1) The State Board of Health is empowered to adopt such regulations as it may determine necessary to provide for the registration of free or low-cost ~~medical~~ health care clinics under this section.

(2) The regulations shall require that each person to whom ~~medical~~ health care services are provided:

(A) Has been fully informed before any treatment by the ~~physician~~ health care professional providing the services or by the staff of the ~~medical~~ health care clinic of the immunity from civil suit provisions of this section; and

(B) Has acknowledged that fact in writing on a form approved or designated by the Department of Health and Human Services.

(c) The State Board of Health and its members, and the Department of Health and Human Services and its agents and employees, are exempt and immune from liability for any claims or damages when performing their duties pursuant to this section.

(d) The provisions of this section supersede the exception for licensed medical professionals under the Arkansas Volunteer Immunity Act, § 16-6-105.

(e) As used in this section, "health care professionals" means any licensed medical doctor, chiropractic physician, dentist, optometric physician, podiatrist, and any other licensed health care professional."

The Amendment was read _____

By: Representative George

GRH/YTC - 01-25-2007 15:40

GRH147

Chief Clerk