

Unofficial Document

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM
2015 REGULAR SESSION

Amend printed copy of SB 6/SCS 1

On page 15 after line 9 by inserting the following:

"➔SECTION 30. A NEW SECTION OF KRS CHAPTER 216C IS CREATED TO READ AS FOLLOWS:

(1) Notwithstanding any provision of this chapter to the contrary, a plaintiff shall be privileged to waive the medical review panel process created in this chapter under the following circumstances:

(a) The litigation involves the sexual abuse of a patient;

(b) The facts underlying the litigation involve the commission or allegation of a criminal act;

(c) The facts underlying the litigation concern the intentional physical abuse of the plaintiff;

(d) The facts underlying the litigation involve abuse or neglect caused by the grossly negligent conduct of any defendant; or

(e) Any employee of a facility or medical office where the alleged malpractice occurred has ever been convicted, pleaded guilty, or entered an Alford plea to a Class B or greater misdemeanor or a Class D or greater felony.

(2) Notwithstanding any provision of this chapter to the contrary, a plaintiff shall be

Amendment No. SFA 13

Sponsor: Ray S. Jones II

Committee Amendment: _____

Signed: _____

Floor Amendment: _____

LC Drafted by: Harley, Dallas

Adopted: _____

Date: _____

Rejected: _____

Doc. ID: XXXXX

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privileged to waive the medical review panel process created in this chapter if he or she:

- (a) Is a veteran, or the spouse of a veteran, honorably discharged from the armed services of the United States;**
- (b) Has ever served as a law enforcement officer, or is the spouse of a law enforcement officer;**
- (c) Has ever served as a firefighter, or is the spouse of a firefighter;**
- (d) Is older than sixty-five (65) years of age, or is the spouse of someone older than sixty-five ; or**
- (e) Has served as a member of the clergy, or is the spouse of a member of the clergy."**