

1 AN ACT relating to evidence in medical malpractice actions.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF THE KENTUCKY RULES OF  
4 EVIDENCE IS CREATED TO READ AS FOLLOWS:

5 *(1) A statement, writing, or action that expresses sympathy, compassion,*  
6 *commiseration, or a general sense of benevolence relating to the pain, suffering,*  
7 *or death of an individual and that is made to that individual or the individual's*  
8 *family is inadmissible as evidence of an admission of liability in an action for*  
9 *medical malpractice.*

10 *(2) This section does not apply to a statement of fault, negligence, or culpable*  
11 *conduct that is part of or made in addition to a statement, writing, or action*  
12 *described in subsection (1) of this section.*

13 *(3) As used in this section, "family" means spouse, parent, grandparent, stepmother,*  
14 *stepfather, child, adopted child, grandchild, brother, sister, half-brother, half-*  
15 *sister, father-in-law, or mother-in-law.*