

1 AN ACT relating to immunity from criminal liability for health care providers.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 311 IS CREATED TO  
4 READ AS FOLLOWS:

5 *(1) As used in this section:*

6 *(a) "Health care provider" means:*

- 7 *1. An employee of a health facility, as defined in KRS 216B.015(13); or*  
8 *2. A person providing health services, including those licensed, certified,*  
9 *or registered under, or subject to, KRS 194A.700 to 194A.729 or KRS*  
10 *Chapter 311, 311A, 311B, 312, 313, 314, 314A, 315, 319A, 319B, 320,*  
11 *327, or 333; and*

12 *(b) "Health services" has the same meaning as in KRS 216B.015.*

13 *(2) Notwithstanding any provision of law to the contrary, a health care provider*  
14 *providing health services shall be immune from criminal liability for any harm or*  
15 *damages alleged to arise from an act or omission relating to the provision of*  
16 *health services, except as provided in subsection (3) of this section.*

17 *(3) Nothing in this section limits any liability for gross negligence or wanton, willful,*  
18 *malicious, or intentional misconduct.*

19 *(4) Nothing in this section shall be construed to amend, repeal, or alter any other*  
20 *immunity, defense, limitation of liability, or procedure available or required*  
21 *under any other law or contract.*