An Act

ENROLLED HOUSE
BILL NO. 1658

By: Dorman, Kern, Luttrell, Wesselhoft, Pittman, Ritze, Tibbs and Walker of the House

and

Barrington of the Senate

An Act relating to torts; defining terms; providing limited malpractice protection for certain health care providers; limiting application to actions filed after a certain date; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 32.1 of Title 76, unless there is created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Health care provider" means any person or other entity who is licensed, certified or otherwise authorized by the provisions of Title 59 or Title 63 of the Oklahoma Statutes to render health care services in the practice of a profession or in the ordinary course of business;

2. "Health care services" means any services provided by a physician or health care provider, or by an individual working under their supervision, that relate to the diagnosis, assessment, prevention, treatment or care of any human illness, disease, injury or condition;

3. "Physician" means any person who is a physician licensed, certified or otherwise authorized to render health care services in this state; and

4. "Volunteer capacity" means health care services provided without remuneration regardless of whether or not the health care services are prearranged. Admission without cost to the secondary school event does not constitute remuneration.

B. Any physician or health care provider providing health care services in a volunteer capacity at a secondary school function in this state who renders or attempts to render care to an injured participant who is in need of immediate medical aid shall not be liable for damages as a result of any acts or omissions except for committing gross negligence or willful or wanton negligence in rendering the emergency care.

C. This section shall apply to all civil actions filed on or after January 1, 2011.

SECTION 2. This act shall become effective January 1, 2011.

Passed the House of Representatives the 17th day of May, 2010.

Presiding Officer of the House of Representatives

Passed the Senate the 21st day of May, 2010.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Governor this 24th

day of May, 2010,

at 1:17 o'clock P M.

By:

Approved by the Governor of the State of Oklahoma the 5th day of

June, 2010, at 12:52 o'clock P M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this

7th day of June, 2010,

at 11:20 o'clock A M.

By: