

SESSION OF 2012

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2562

As Amended by Senate Committee of the Whole

Brief*

HB 2562 would provide that any person who is not a health care provider and in good faith, without compensation, renders emergency care or assistance to a person, including a minor without first obtaining the consent of the parent or guardian of such minor, at the scene of an emergency or accident would not be held liable for any civil damages for acts or omissions other than damages occasioned by gross negligence or by willful or wanton acts or omissions by the person in rendering such emergency care.

Additionally, the bill would exempt the Kansas Board of Healing Arts from competitive bidding when contracting with persons licensed to practice the healing arts who are not members of the Board to provide advice and assistance to the Board. The bill would be in effect upon publication in the *Kansas Register*.

Background

In the House Committee on Judiciary, representatives of the American Heart Association, Galichia Heart Hospital, and Kansas CPR, Inc. offered testimony in support of HB 2562. A representative of the Kansas Association for Justice appeared as an opponent. The Committee amended the bill by replacing "gratuitously" with "without compensation," and by clarifying that the bill protects persons who provide emergency care or assistance to a person, including a minor without first obtaining the consent of the parent or guardian of such minor.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

In the Senate Committee on Judiciary, representatives of the American Heart Association and Kansas CPR, Inc. offered testimony in support of the bill and a representative of the Kansas Association for Justice appeared as an opponent. The Committee recommended the bill be passed.

The Senate Committee of the Whole amended the bill to exempt the Kansas Board of Healing Arts from competitive bidding when contracting with persons licensed to practice the healing arts who are not members of the Board to provide advice and assistance to the Board. It also made the bill effective upon publication in the *Kansas Register*.

The fiscal note indicates passage of HB 2562, as introduced, would have no fiscal effect.