



Senate Fiscal Agency
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House Bill 6159 (Substitute H-1 as passed by the House)
Sponsor: Representative Roger Hauck
House Committee: Judiciary
Senate Committee: Health Policy and Human Services (discharged)

CONTENT

The bill would create the "Pandemic Health Care Immunity Act" to provide protection from liability for health care providers and health care facilities rendering health care services related to the COVID-19 pandemic, subject to exceptions, and prescribe the scope of the Act.

Specifically, under the proposed Act, a health care provider or health care facility that provided health care services in support of the State's response to the COVID-19 pandemic would not be liable for an injury, including death, sustained by an individual by reason of those services, regardless of how, under what circumstances, or by what cause those injuries were sustained, unless it was established that the provision of the services constituted willful misconduct, gross negligence, intentional and willful criminal misconduct, or intentional infliction of harm by the health care provider or health care facility.

The Act would not apply to claims covered by the Worker's Disability Compensation Act.

The liability protection provided by the Act would apply retroactively, and would apply only after March 9, 2020, and before July 15, 2020.

Legislative Analyst: Stephen Jackson

FISCAL IMPACT

The bill would not increase revenue or costs for the State; however, it could prevent increased costs for local courts by discouraging civil suit filings for medical malpractice arising out of the COVID-19 pandemic.

Date Completed: 10-8-20

Fiscal Analyst: Michael Siracuse