

SSB 5492 - H AMD

By Representative _____

1 On page 2, line 35, after "report" insert ", unless the
2 conviction, determination, or finding on which the report and its
3 content are based is proven to not have been made in good faith.
4 The prevailing party in any action brought alleging the conviction,
5 determination, finding or report was not made in good faith, shall
6 be entitled to recover the costs of litigation, including
7 reasonable attorney's fees"

EFFECT: Specifies that the immunity for hospital reporting does not apply where the conviction, determination, or finding that is the basis of the report was not made in good faith. Allows the party that prevails in an action that alleges a lack of good faith to recover litigation costs, including reasonable attorney fees.