

SHB 1197 - H AMD TO H AMD (H-1212.3/21) **391**

By Representative Walsh

NOT ADOPTED 03/04/2021

1 On page 4, after line 14 of the striking amendment, insert the
2 following:

3 "(iv) A health care provider is immune from suit in any civil
4 action arising from the designation or revocation of a health care
5 surrogate. However, this immunity does not apply to an act or omission
6 made in bad faith or that involves gross negligence."

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8 On page 9, after line 29 of the striking amendment, insert the
9 following:

10 "(iv) A health care provider is immune from suit in any civil
11 action arising from the designation or revocation of a health care
12 surrogate. However, this immunity does not apply to an act or omission
13 made in bad faith or that involves gross negligence or willful and
14 wanton misconduct."

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EFFECT: Provides additional civil immunity to health care providers for claims resulting from a designation or revocation of a health care surrogate, unless the act or omission was made in bad faith or rises to the level of gross negligence or willful and wanton misconduct.

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