

2461

Sponsor(s): Representatives Kessler, Romero, Cody, Campbell and Morrell

Brief Description: Regarding liability for licensed health care providers providing services to low-income patients.

HB 2461 - DIGEST

Provides that any licensed health care provider as listed in RCW 18.130.040 in the state of Washington who, without compensation or the expectation of compensation, provides health care services at a community health care setting is not liable for civil damages resulting from any act or omission in the rendering of such care, other than acts or omissions constituting gross negligence or willful or wanton misconduct.

Declares that, for purposes of this act, "community health care setting" means an entity that provides health care services and:

- (1) Is operated by a public entity or private tax exempt corporation;

- (2) Is a for-profit corporation that maintains and holds itself out to the public as having established hours on a regular basis for providing free health care services to members of the public to the extent that care is actually provided without compensation during those established hours; or

- (3) Is a for-profit corporation that is participating, through a written agreement, in a community-based program to provide access to health care services for uninsured persons, to the extent that care is being provided without compensation to individuals who have been referred for care through that community-based program.

Provides that the department may provide liability insurance under chapter 113, Laws of 1992 only to the extent funds are provided for this purpose by the legislature. If there are insufficient funds to support all applications for liability insurance coverage, priority shall be given to those retired primary care providers working at clinics operated by public or private tax-exempt corporations rather than clinics operated by for-profit corporations.