

2022 Regular Session

SENATE BILL NO. 220

BY SENATOR JACKSON

LIABILITY. Provides relative to liability of healthcare providers during a state of public health emergency. (8/1/22)

1 AN ACT

2 To amend and reenact R.S. 29:771(B)(2)(c)(i), relative to public health emergencies; to  
3 provide for liability of healthcare providers; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 29:771(B)(2)(c)(i) is hereby amended and reenacted to read as  
6 follows:

7 §771. Miscellaneous

8 \* \* \*

9 B. \* \* \*

10 (2) \* \* \*

11 (c)(i) During a state of public health emergency, no health care provider shall  
12 be civilly liable for causing the death of, or injury to, any person or damage to any  
13 property except in the event of gross negligence or willful misconduct **which is**  
14 **unrelated to the public health emergency.**

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Lebra R. Bias.

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DIGEST

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Present law provides that during a state of public health emergency, no healthcare provider shall be civilly liable for causing the death of, or injury to, any person or damage to any property except in the event of gross negligence or willful misconduct.

Proposed law retains present law and further provides that the gross negligence or willful misconduct be unrelated to the public health emergency.

Effective August 1, 2022.

(Amends R.S. 29:771(B)(2)(c)(i))