

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 392

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO VOLUNTEER HEALTH CARE PROVIDER IMMUNITY; AMENDING SECTION
39-7702, IDAHO CODE, TO REVISE A DEFINITION.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 39-7702, Idaho Code, be, and the same is hereby
amended to read as follows:

39-7702. DEFINITIONS. As used in this chapter:

(1) "Community health screening event" means an event sponsored by a school, a church, a civic club or another community organization for the purpose of providing health screenings by health care providers who are not compensated for their volunteer service at the event.

(2) "Compensation" means any remuneration, whether by way of salary, fee or otherwise, for health care services rendered. Compensation does not include actual and necessary expenses that are incurred by a volunteer health care provider in connection with the services provided or the duties performed by the health care provider on behalf of a free clinic, and that are reimbursed to the volunteer health care provider.

(3) "Free medical clinic" means a facility other than a hospital or health care provider's office which is an organized community-based program, registered with the department of health and welfare, at which primary medical care is provided without charge to individuals unable to pay for it, and at which the care provided does not include the use of general anesthesia or require an overnight stay in a health care facility.

(4) "Health care provider" means any physician, dentist, optometrist, physician assistant, ~~or~~ nurse, or other person who is licensed, certified, or registered under title 54, Idaho Code, to provide health care or other professional services or who is otherwise authorized to practice in Idaho. "Health care provider" also includes an individual enrolled in an accredited education or training program for licensure, certification, or registration under title 54, Idaho Code, while the individual is providing services under the direct supervision of a person who is licensed, certified, or registered under title 54, Idaho Code, and practicing within his regulated scope of practice, as long as the patient has been notified that the individual is a student.

(5) "Health screening" means an examination, an evaluation or another health care assessment of a person by a licensed health care provider practicing within the provider's scope of practice to determine the fitness of an individual to participate in an event or activity or to determine whether an individual needs additional health care evaluation or treatment.

(6) "Voluntary provision of health care services" means providing professional services by a health care provider without compensation.