

AN ACT relating to evidence in medical malpractice actions.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

➔SECTION 1. A NEW SECTION OF THE KENTUCKY RULES OF EVIDENCE IS CREATED TO READ AS FOLLOWS:

- (1) A statement, writing, or action that expresses sympathy, compassion, commiseration, or a general sense of benevolence relating to the pain, suffering, or death of an individual and that is made to that individual or the individual's family is inadmissible as evidence of an admission of liability in an action for medical malpractice.
- (2) This section does not apply to a statement of fault, negligence, or culpable conduct that is part of or made in addition to a statement, writing, or action described in subsection (1) of this section.
- (3) As used in this section, "family" means spouse, parent, grandparent, stepmother, stepfather, child, adopted child, grandchild, brother, sister, half brother, half sister, father-in-law, or mother-in-law.