

**HOUSE SUMMARY OF SENATE AMENDMENTS****HB 335****2015 Regular Session****Henry Burns**

**MALPRACTICE/MEDICAL:** Adds licensed dietitians/licensed nutritionists under the medical malpractice act

**Synopsis of Senate Amendments**

1. Changes the reference to licensed dietitians and licensed nutritionists to provide that they must be employed by, referred by, or be performing work under contract for, a state health care provider or other person already covered under the Malpractice Liability for State Services Act, or, in the case of the Medical Malpractice Act, that they must be employed by, referred by, or be performing work under contract for, a health care provider or other person already covered under that Act.

**Digest of Bill as Finally Passed by Senate**

Present law provides a limitation of liability for state health care providers for state health care services and for health care providers for private health care services, each of which limits their malpractice liability to \$500,000, plus interest and costs, exclusive of future medical care and related benefits.

Present law provides definitions for "state health care provider" and for "health care provider", both of which include, in part, physicians, psychologists, dentists, registered nurses, pharmacists, optometrists, social workers, and physical and occupational therapists.

Proposed law adds licensed dietitians and licensed nutritionists who are employed by, referred by, or performing work under contract for a state health care provider or other person covered under the Malpractice Liability for State Services Act, as well as licensed dietitians and licensed nutritionists who are employed by, referred by or performing work under contract for a health care provider or other person covered under the Medical Malpractice Act, to the respective definitions of "state health care provider" and "health care provider" in order to include such licensed dietitians and licensed nutritionists within the medical malpractice limitations of liability.

(Amends R.S. 40:1299.39(A)(1)(a)(ii)(intro. para.) and 1299.41(A)(10))