

Regular Session, 2010

HOUSE BILL NO. 264

BY REPRESENTATIVE WILLMOTT

1 AN ACT

2 To amend and reenact R.S. 40:1299.39(A)(1)(a)(ii)(introductory paragraph) and
3 1299.41(A)(10), relative to medical malpractice; to provide for certain persons to be
4 included in the definition of health care provider under the private and state medical
5 malpractice acts; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:1299.39(A)(1)(a)(ii)(introductory paragraph) and 1299.41(A)(10)
8 are hereby amended and reenacted to read as follows:

9 §1299.39. Definitions and general application

10 A. As used in this Part:

11 (1)(a) "State health care provider" or "person covered by this Part" means:

12 * * *

13 (ii) A person acting in a professional capacity in providing health care
14 services, by or on behalf of the state, including but not limited to a physician,
15 psychologist, coroner, and assistant coroner who is a licensed physician when acting
16 solely in accordance with the Mental Health Law as provided in R.S. 28:50 et seq.,
17 provided that the premium costs of such malpractice coverage shall be the
18 responsibility of the coroner's office, dentist, registered nurse, licensed practical
19 nurse, nurse practitioner, clinical nurse specialist, pharmacist, optometrist, podiatrist,
20 physical therapist, ~~laboratory or X-ray technician,~~ occupational therapist, licensed
21 respiratory therapist, licensed radiologic technologist, licensed clinical laboratory

1 member, shareholder, or agent thereof acting in the course and scope of his employment.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____