

SENATE FLOOR AMENDMENT

Second Reading

BY SENATOR Smallwood

1 Amend reengrossed bill, page 6, strike lines 13 through 16 and substitute:

2 "(b) A PATIENT WHO HAS BEEN SUBJECTED TO AN INTIMATE
3 EXAMINATION IN VIOLATION OF THIS SECTION MAY FILE A CIVIL ACTION
4 FOR DAMAGES IN A COURT OF COMPETENT JURISDICTION. SUCH ACTION IS
5 NOT A MEDICAL MALPRACTICE ACTION, AND THE LIMITATION ON DAMAGES
6 FOR NONECONOMIC LOSS OR INJURY ESTABLISHED PURSUANT TO SECTION
7 13-21-102.5 APPLIES TO ANY AWARD TO THE PATIENT FOR NONECONOMIC
8 DAMAGES."

9 Page 11, strike lines 15 through 18 and substitute:

10 "(b) A PATIENT WHO HAS BEEN SUBJECTED TO AN INTIMATE
11 EXAMINATION IN VIOLATION OF THIS SECTION MAY FILE A CIVIL ACTION
12 FOR DAMAGES IN A COURT OF COMPETENT JURISDICTION. SUCH ACTION IS
13 NOT A MEDICAL MALPRACTICE ACTION, AND THE LIMITATION ON DAMAGES
14 FOR NONECONOMIC LOSS OR INJURY ESTABLISHED PURSUANT TO SECTION
15 13-21-102.5 APPLIES TO ANY AWARD TO THE PATIENT FOR NONECONOMIC
16 DAMAGES."

** ** ** ** **