

**(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)**

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

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DIGEST

**Abstract:** Adds licensed dietitians/licensed nutritionists to the definitions of "state health care provider" and "health care provider" in order to include licensed dietitians/licensed nutritionists within the medical malpractice limitations of liability.

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))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill:

- 1. Change the reference from "licensed dietitian" to "licensed dietitians/licensed nutritionists".

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary A to the engrossed bill

- 1. Changed the reference to licensed dietitians and licensed nutritionists to reference that they must be employed by, referred by, or 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, employed by, referred by, or performing work under contract for, a health care provider or other person already covered under that Act.