

SENATE BILL 1674

By Southerland

AN ACT to amend Tennessee Code Annotated, Title 63,
Chapter 6, Part 7, relative to volunteer health care
services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 63-6-703, is amended by adding a new, appropriately designated subdivision and by deleting subdivision (5) and substituting instead the following:

() “Free clinic” means a not for profit, out-patient, non-hospital facility in which a health care provider engages in the voluntary provision of health care services to patients without charge to the recipient of the services or to a third party;

(5) “Voluntary provision of health care services” means the providing of professional health care services by the health care provider either without charge to the recipient of the services or to a third party, or recipients are charged on a sliding scale according to income.

SECTION 2. Tennessee Code Annotated, Section 63-6-706, is amended by adding the following new subsection:

(g) The provisions of subsections (a) and (b) shall not apply to a free clinic in which health care providers engage in the voluntary provision of health care services.

SECTION 3. Tennessee Code Annotated, Section 63-6-708, is amended by deleting subdivision (a)(1) and substituting instead the following:

(1) No person who is licensed, certified or authorized by the board of any of the professions of the healing arts, as enumerated in this title, shall be liable for any civil damages for any act or omission resulting from the rendering of such services, unless

the act or omission was the result of such person's gross negligence or willful misconduct if the person:

(A) Is engaging in the voluntary provision of health care services within the limits of the person's license, certification or authorization; and

(B) The services are delivered to any patient of:

(i) A sponsoring organization; or

(ii) A free clinic.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.