

HOUSE BILL NO. HB0209

Emergency medical review organizations.

Sponsored by: Representative(s) Greene, Harvey and Lubnau
and Senator(s) Coe and Von Flatern

A BILL

for

1 AN ACT relating to public health and safety; providing for
2 a limitation of liability for emergency medical review
3 organizations and the department of health as specified;
4 and providing for an effective date.

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6 *Be It Enacted by the Legislature of the State of Wyoming:*

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8 **Section 1.** W.S. 35-17-101(a)(i)(A), 35-17-102 and
9 35-17-106(a)(intro) are amended to read:

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11 **35-17-101. Definition.**

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13 (a) As used in this act:

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15 (i) "Professional standard review organizations"

16 means:

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(A) Any medical, dental, optometric, nursing, osteopathic or pharmacy organization or a local, county, or state medical, dental, optometric, nursing, osteopathic, emergency medical and pharmacy society and any such society itself when such organization or society is performing any medical, dental, nursing, optometric, osteopathic, emergency medical and pharmacy review function or involving any controversy or dispute between a physician, dentist, optometrist, nurse, osteopath, emergency medical technician and pharmacist and a patient concerning the diagnosis, treatment, or care of such patient or the fees or charges therefor, or a physician, dentist, optometrist, nurse, osteopath, emergency medical technician or pharmacist and a provider of medical, dental, optometric, nursing, osteopathic, emergency medical and pharmacy benefits concerning any medical, dental, nursing, optometric, osteopathic, emergency medical, pharmacy or other health charges or fees of such physician, dentist, optometrist, nurse, osteopath, emergency medical technician or pharmacist;

35-17-102. Authority to establish professional standard review organizations.

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2 Any local, county or state medical, dental, nursing,
3 optometric, osteopathic, emergency medical or pharmacy
4 society in Wyoming is hereby authorized to establish a
5 professional standard review organization as defined in
6 W.S. 35-17-101.

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8 **35-17-106. Election to be covered by federal**
9 **immunity.**

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11 (a) The state of Wyoming elects to be immediately
12 covered by the immunity granted by the Health Care Quality
13 Improvement Act of 1986, P.L. 99-660, Title IV adopted by
14 Congress in 1986, to the extent authorized, as of the
15 effective date of this section for all health care
16 professional review bodies as defined in the act, for the
17 applicable division of the department of health in its
18 duties under W.S. 33-32-101 through 33-32-115 related to
19 emergency medical services and for:

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1 **Section 2.** This act is effective immediately upon
2 completion of all acts necessary for a bill to become law
3 as provided by Article 4, Section 8 of the Wyoming
4 Constitution.

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(END)