

HOUSE BILL 2526
By Fowlkes

AN ACT to amend Tennessee Code Annotated, Section 58-2-107, relative to emergency powers of the governor.

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

SECTION 1. Tennessee Code Annotated, Section 58-2-107, is amended by adding a new (l) as follows:

(l) In a declared emergency, the governor is empowered by executive order to provide limited liability protection such that no person who is licensed, certified, or authorized by the board of any of the professions of the healing arts, as enumerated in Titles 63 or 68 of the Tennessee Code Annotated, and who renders, at any site, any health care services within the limits of his or her license, certification, or authorization, to any person affected by the event causing the governor to declare an emergency, 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 his or her gross negligence or willful misconduct. Further, any medical clinic or physician's office that receives and treats a patient affected by the event causing the governor to declare an emergency shall not be liable for any civil damages as a result of any act or omission while such aid is being rendered, except such damages as may result from gross negligence or willful misconduct. The duration of the executive order shall be no more than thirty (30) days but can be extended for additional terms at thirty (30) day intervals as the governor deems appropriate.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.