MISSISSIPPI LEGISLATURE

HOUSE BILL NO. 221

To: Judiciary A

By: Representative Carpenter

MISSISSIPPI LEGISLATURE
REGULAR SESSION 2013

AN ACT TO PROVIDE IMMUNITY FROM CIVIL LIABILITY TO PHYSICIANS WHO PARTICIPATE IN THE MEDICAID PROGRAM FOR ACTS OR OMISSIONS IN THE PROVISION OF MEDICAL OR HEALTH SERVICES TO MEDICAID RECIPIENTS, EXCEPT IN CASES OF GROSS NEGLIGENCE OR WILLFUL OR WANTON MISCONDUCT; TO EXTEND THE IMMUNITY PROVIDED UNDER THIS ACT TO THE HEALTH CARE FACILITY IN WHICH THE PHYSICIAN PROVIDED THE MEDICAL OR HEALTH SERVICES TO THE MEDICAID RECIPIENT; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Any physician who is a provider participating in the Medicaid program who provides medical or health services to a Medicaid recipient shall be immune from liability for damages in any civil action arising out of any act or omission in the provision of those medical or health services, unless the act or omission was the result of the physician's gross negligence or willful or wanton misconduct. The immunity provided under this section shall extend to the facility in which the physician provided the medical or health services to the Medicaid recipient, if the facility is a licensed health care facility that is a provider participating in the Medicaid program. The immunity
provided under this section shall apply only to medical or health
services that were provided on or after July 1, 2013.

SECTION 2. This act shall take effect and be in force from
and after July 1, 2013.