

House Bill 1534

By: Representatives Dodson of the 84<sup>th</sup>, Post 1, Westmoreland of the 86<sup>th</sup>, and Purcell of the 122<sup>nd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated,  
2 relating to regulation of hospitals and related institutions, so as to provide for immunity for  
3 certain hospitals who have independent contractor relationships with certain health care  
4 providers; to provide for related matters; to provide for an effective date and applicability;  
5 to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 1 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to  
9 regulation of hospitals and related institutions, is amended by adding a new Code section  
10 immediately following Code Section 31-7-7.1, relating to denial of staff privileges based  
11 upon license, board certification, or membership in professional association, to read as  
12 follows:

13 "31-7-7.2.

14 (a) As used in this Code section, the term:

15 (1) 'Health care provider' means any person licensed under Chapter 9, 11, 26, 30, 33, 34,  
16 35, or 39 of Title 43 who provides care or assistance to an individual within the scope of  
17 the health care provider's licensure.

18 (2) 'Hospital' means a facility that has a valid permit or provisional permit issued by the  
19 Department of Human Resources under this chapter.

20 (b) Notwithstanding the provisions of Code Section 51-2-5, no hospital shall be  
21 vicariously liable for the acts or omissions of a health care provider identified as an  
22 independent contractor."

23 **SECTION 2.**

24 This Act shall become effective upon its approval by the Governor or upon its becoming law  
25 without such approval. This Act shall apply only to causes of action arising on or after the

1 effective date of this Act. Any cause of action arising prior to that date shall continue to be  
2 governed by the laws in effect at the time such cause of action arose.

3 **SECTION 3.**

4 All laws and parts of laws in conflict with this Act are repealed.