

Senate Engrossed

FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
Senate
Fifty-first Legislature
Second Regular Session
2014

CHAPTER 219

SENATE BILL 1135

AN ACT

AMENDING SECTION 12-571, ARIZONA REVISED STATUTES; RELATING TO HEALTH CARE ACTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 12-571, Arizona Revised Statutes, is amended to
3 read:

4 12-571. Qualified immunity; health professionals; nonprofit
5 clinics; previously owned prescription eyeglasses

6 A. A health professional, as defined in section 32-3201, who provides
7 medical, OPTOMETRIC or dental treatment, CARE OR SCREENING within the scope
8 of the health professional's certificate or license at a nonprofit clinic
9 where neither the professional nor the NONPROFIT clinic receives compensation
10 for any treatment, CARE OR SCREENING provided at the NONPROFIT clinic is not
11 liable in a medical malpractice action, unless ~~such~~ THE health professional
12 was grossly negligent. FOR THE PURPOSES OF THIS SUBSECTION, "NONPROFIT
13 CLINIC" INCLUDES A CLINIC, AN OFFICE, A HOMELESS OR OTHER SHELTER, A HEALTH
14 OR SCREENING FAIR OR ANY OTHER SETTING WHERE TREATMENT, CARE OR SCREENING IS
15 PROVIDED AT NO COST TO THE PATIENT.

16 B. A health professional who, within the professional's scope of
17 practice, provides previously owned prescription eyeglasses free of charge
18 through a charitable, nonprofit or fraternal organization is not liable for
19 an injury to the recipient if the recipient or the recipient's parent or
20 legal guardian has signed a medical malpractice release form and the injury
21 is not a direct result of the health professional's intentional misconduct or
22 gross negligence. For THE purposes of this subsection, "medical malpractice
23 release form" means a document that the recipient or the recipient's parent
24 or legal guardian signs before the recipient receives eyeglasses pursuant to
25 this subsection to acknowledge that the eyeglasses were not made specifically
26 for the recipient and to accept full responsibility for the recipient's eye
27 safety.

APPROVED BY THE GOVERNOR APRIL 24, 2014.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 24, 2014.

Passed the House April 22, 2014,

Passed the Senate February 13, 2014,

by the following vote: 57 Ayes,
0 Nays, 3 Not Voting

by the following vote: 29 Ayes,
1 Nays, 0 Not Voting

[Signature]
Speaker of the House

[Signature]
President of the Senate

[Signature]
Chief Clerk of the House

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this
23rd day of April, 2014,

at 12:45 o'clock P M.

[Signature]
Secretary to the Governor

Approved this 24th day of

April, 2014,

at 2:59 o'clock P M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State
this 24th day of April, 2014,

at 5:31 o'clock P M.

[Signature]
Secretary of State

S.B. 1135