

By Senator Garcia

40-01304-11

20111924__

1 A bill to be entitled

2 An act relating to sovereign immunity; amending s.
3 768.28, F.S.; providing certain medical schools with
4 sovereign immunity protection while their employees
5 and students provide services to public health trust
6 patients at certain hospitals and health care
7 facilities; providing an effective date.
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9 Be It Enacted by the Legislature of the State of Florida:
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11 Section 1. Subsection (21) is added to section 768.28,
12 Florida Statutes, to read:

13 768.28 Waiver of sovereign immunity in tort actions;
14 recovery limits; limitation on attorney fees; statute of
15 limitations; exclusions; indemnification; risk management
16 programs.—

17 (21) An accredited school of medicine that is not otherwise
18 considered a state agency or subdivision for purposes of this
19 section is considered a state agency or subdivision for purposes
20 of this section while a health care practitioner, as defined s.
21 456.001, employed by the school or a student of the school who
22 is studying to become a practitioner is providing health care
23 services to a public health trust patient at a hospital, as
24 defined in s. 395.002, that is publicly owned or controlled or a
25 publicly owned or controlled health care facility, as defined in
26 s. 408.07, that is affiliated with such a hospital.

27 Section 2. This act shall take effect July 1, 2011.