

By Senator Bean

4-01132A-21

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1 A bill to be entitled
2 An act relating to civil damages for care in community
3 residential group home facilities; creating s.
4 419.003, F.S.; providing that certain licensed
5 community residential group homes and certain licensed
6 persons and providers who provide services to
7 medically dependent or technologically dependent
8 children may not be held liable for civil damages for
9 medical care or treatment under certain circumstances;
10 providing an effective date.

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12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Section 419.003, Florida Statutes, is created to
15 read:

16 419.003 Civil damages.—A community residential group home
17 facility licensed under chapter 393 which provides services to a
18 medically dependent or technologically dependent child as
19 defined in s. 400.902(6), or any person or provider licensed
20 under chapter 400 who provides services to a medically dependent
21 or technologically dependent child as defined in s. 400.902(6)
22 in facilities licensed under chapter 393, may not be held liable
23 for any civil damages as a result of providing or failing to
24 provide medical care or treatment unless such damages result
25 from providing or failing to provide medical care or treatment
26 under circumstances demonstrating clear and convincing evidence
27 of intentional misconduct or gross negligence, the consequences
28 of which affect the life or health of another.

29 Section 2. This act shall take effect July 1, 2021.