Senator Brandes moved the following:

**Senate Amendment (with title amendment)**

Delete lines 328 - 375

and insert:

(b) Substantial compliance with government-issued health standards specific to infectious diseases in the absence of standards specifically applicable to COVID-19;

(c) Substantial compliance with government-issued health standards relating to COVID-19 or other relevant standards was not possible due to the widespread shortages of necessary supplies, materials, equipment, or personnel;
(d) Substantial compliance with any applicable government-issued health standards relating to COVID-19 or other relevant standards if the applicable standards were in conflict; or

(e) Substantial compliance with government-issued health standards relating to COVID-19 or other relevant standards was not possible because there was insufficient time to implement the standards.

(5) LIMITATIONS PERIOD.—

(a) An action for a COVID-19-related claim against a health care provider which arises out of the transmission, diagnosis, or treatment of COVID-19 must commence within 1 year after the later of the date of death due to COVID-19, hospitalization related to COVID-19, or the first diagnosis of COVID-19 which forms the basis of the action.

(b) An action for a COVID-19-related claim against a health care provider which does not arise out of the transmission, diagnosis, or treatment of COVID-19, such as a claim arising out of a delayed or canceled procedure, must commence within 1 year after the cause of action accrues.

(c) Notwithstanding paragraph (a) or paragraph (b), an action for a COVID-19-related claim that accrued before the effective date of this act must commence within 1 year after the effective date of this act.

(6) APPLICATION PERIOD.—This section applies to claims that have accrued before the effective date of this act and within 1 year after the effective date of this act.

(7) INTERACTION WITH OTHER LAWS.—

(a) This section does not create a new cause of action but instead applies in addition to any other applicable provisions.
of law, including, but not limited to, chapters 400, 429, 766, and 768. This section controls over any conflicting provision of law, but only to the extent of the conflict.

(b) This section does not apply to claims governed by chapter 440.

Section 3. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

Section 4. This act applies retroactively and prospectively. However, this act does not apply in a civil

============== T I T L E A M E N D M E N T ===============
And the title is amended as follows:
Delete lines 17 - 20
and insert:
providing applicability; providing construction;
providing severability;