

Introduced: 3/30/77
Referred: Judiciary

1 IN THE HOUSE

BY GARDINER

2 HOUSE BILL NO. 414

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act limiting the liability of health care providers
7 for the administration of blood tests."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 09.65 is amended by adding a new section to read:

10 Sec. 09.65.095. LIABILITY FOR ADMINISTRATION OF BLOOD TEST. (a)
11 No civil or criminal action arising out of battery may be brought
12 against a health care provider for taking a blood sample if the sample
13 is taken

14 (1) at the request of a police officer when the arresting
15 officer has a search warrant or court order authorizing the taking of
16 the blood sample; and

17 (2) without the use of excessive or unreasonable force.

18 (b) "Health care provider", as used in this section, is defined in
19 AS 09.55.560(1).

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