

SB

4601

ALASKA STATE LEGISLATURE


Home Address
3813 Denali Street
Ketchikan, AK 99901
907-225-9082

While in Juneau
P.O. Box V
Juneau, AK 99811
907-465-3743

Senator Lloyd Jones

MEMORANDUM

TO: Senate HESS Members

FROM: Senator Lloyd Jones 

DATE: February 26, 1988

SUBJECT: A bill limiting the liability of hospitals for actions of certain nonemployees.

Under Senate Bill 461, hospitals would not be held liable for the actions of nonemployees, unless the hospital shared fault. It would ensure doctors and other persons who perform their professional duties in hospitals, but are not employed by the hospitals, are individually held accountable for their actions.

Presently, hospitals are included in many malpractice suits, not due to any negligence of the hospitals or its employees, but because they have "deep pockets." Passage of this bill in my opinion would reduce needless legal expenses incurred by our hospitals.

I trust you will give this important piece of legislation your full scrutiny. I think you will find strong support for this bill among health professionals, hospitals, cities and other members of the public.

Thank you.

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: Relating to the Liability
of Hospitals...
Sponsor: Jones, et.al.
Requestor: _____

Agency Affected: Health and Social Services
BRU: _____
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Kim Busch, Director *Kim Busch* Phone: 465-3355
Division: Division of Medical Assistance Date: 3/2/88

Approved by Commissioner: Myra Munson *Myra M. Munson* Date: 3/2/88
Agency: Health and Social Services

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: "An Act relating to liability of hospitals ... certain nonemployees."
Sponsor: Senator Jones
Requestor: Senate HESS

Agency Affected: Department of Law
BRU: Legal Services
Components: Operations

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Please see attached analysis.

Prepared by: Richard I. Pegues, Director Phone: 465-3672
Division: Administrative Services Date: February 19, 1988
Approved by Commissioner: Richard I. Pegues / FOR Date: February 19, 1988
Agency: Grace Berg Schallbe, Atty. Gen.
Department of Law

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. SB 461

This bill adds a new section to AS 09.65 that shields hospitals from civil liability for the acts and omissions of those providing health care in a hospital who are not employees of the hospital, including physicians. Because this bill deals with the civil liability of hospitals, it will not have a direct fiscal impact on the Department of Law.