

# SENATE BILL No. 433

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 34-6-2-117.5; IC 34-30-15-15.

**Synopsis:** Immunity for peer review committees. Defines a professional review activity as an activity of a hospital's peer review committee with respect to a professional health care provider to do the following: (1) Determine whether the professional health care provider may have privileges with the hospital. (2) Determine the scope or conditions of the professional health care provider's privileges. (3) Modify the professional health care provider's privileges. Exempts from civil liability the professional review activities of a peer review committee that are made in good faith.

**Effective:** January 1, 2000.

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## Harrison

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January 13, 1999, read first time and referred to Committee on Health and Provider Services.

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Introduced

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

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## SENATE BILL No. 433



A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 34-6-2-117.5 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JANUARY 1, 2000]: **Sec. 117.5. "Professional review**  
4 **activity"**, for purposes of IC 34-30-15, means an activity of a peer  
5 review committee of a hospital licensed under IC 16-21 with  
6 respect to a professional health care provider to:

- 7 (1) determine whether the professional health care provider
- 8 may have privileges with respect to the hospital;
- 9 (2) determine the scope or conditions of the privileges; or
- 10 (3) modify the privileges.

11 **The term includes the establishment and enforcement of standards**  
12 **and rules by the governing board of a hospital concerning practice**  
13 **in the hospital and the granting and retention of privileges within**  
14 **the hospital.**

15 SECTION 2. IC 34-30-15-15 IS AMENDED TO READ AS  
16 FOLLOWS [EFFECTIVE JANUARY 1, 2000]: Sec. 15. There is no  
17 liability on the part of, and no action of any nature shall arise against,



1 **an organization, a peer review committee, or** the personnel of a peer  
2 review committee for any act, statement made in the confines of the  
3 **organization or** committee, or proceeding of the **organization or**  
4 committee made in good faith in regard to:

5 (1) evaluation of patient care as that term is defined and limited  
6 in IC 34-6-2-44; or

7 (2) **professional review activity as defined and limited in**  
8 **IC 34-6-2-117.5.**

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