
A BILL FOR AN ACT

RELATING TO EMERGENCY MEDICAL PHYSICIANS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 671, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§671- Exception to liability. (a) Any physician
5 licensed to practice under the laws of this State or any other
6 state who renders emergency medical care in a hospital to a
7 person who is in immediate danger of loss of life or has a
8 serious bodily injury shall not be liable for any civil damages
9 arising from the physician's acts or omissions during the period
10 of emergency medical care, unless the damages resulted from the
11 physician's gross negligence or wanton acts or omissions.

12 (b) Any physician licensed to practice under the laws of
13 this State or any other state who renders emergency obstetrical
14 medical care in a hospital to a person who is in immediate
15 danger of loss of life or serious bodily injury and:

16 (1) Has not received prenatal care; or

17 (2) Has no previous doctor/patient relationship with the
18 physician or a member of the physician's practice,



1 shall not be liable for any civil damages arising from the
2 physician's acts or omissions during the period of emergency
3 medical care, unless the damages resulted from the physician's
4 gross negligence or wanton acts or omissions.

5 (c) For the purposes of this section, "serious bodily
6 injury" shall have the same meaning as defined in section 707-
7 700."

8 SECTION 2. This Act does not affect rights and duties that
9 matured, penalties that were incurred, and proceedings that were
10 begun, before its effective date.

11 SECTION 3. New statutory material is underscored.

12 SECTION 4. This Act shall take effect on January 1, 2046.



Report Title:

Emergency Room Physicians

Description:

Provides additional legal protection for physicians who render medical services in genuine emergency situations involving an immediate threat of death or serious bodily injury, including emergency obstetrical medical care. (HB1636 HD1)

