

SCS SB 974 -- STATE LEGAL DEFENSE FUND

SPONSOR: Dougherty (Rupp)

COMMITTEE ACTION: Voted "do pass by consent" by the Committee on Financial Services by a vote of 20 to 0.

Under current law, a health care provider who donates services at a free health clinic is covered by the State Legal Expense Fund in the event of a malpractice claim. This substitute clarifies that the health care provider's own malpractice insurance is not to pay any portion of a judgment or claim for which the State Legal Expense Fund is liable. The substitute also clarifies that the malpractice insurance coverage by the state includes health care providers conducting free health screenings, in addition to treatment.

FISCAL NOTE: No impact on state funds in FY 2005, FY 2006, and FY 2007.

PROPOSERS: Supporters say that the bill will enable more doctors to donate their services for the underprivileged. Currently, retired physicians who would like to donate services cannot do so because they no longer carry malpractice insurance. The bill would provide them protection through the State Legal Defense Fund.

Testifying for the bill were Senator Dougherty; Missouri State Medical Association; and Free Health Clinics of St. Louis.

OPPOSERS: There was no opposition voiced to the committee.

Richard Smreker, Senior Legislative Analyst