

## SENATE BILL No. 394

By Committee on Ways and Means

4-27

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9 AN ACT concerning consumer protection; relating to health care pro-  
10 viders; amending K.S.A. 50-635 and repealing the existing section.

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12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. K.S.A. 50-635 is hereby amended to read as follows: 50-  
14 635. (a) The Kansas consumer protection act does not apply to a pub-  
15 lisher, broadcaster, printer or other person engaged in the dissemination  
16 of information or the reproduction of printed or pictorial matter so far as  
17 the information or matter has been disseminated or reproduced on behalf  
18 of others without actual knowledge that it violated the Kansas consumer  
19 protection act.

20 (b) *The Kansas consumer protection act does not allow for a private*  
21 *cause of action or remedy against a licensed health care provider, as de-*  
22 *finied by K.S.A. 65-4915, and amendments thereto, for personal injury or*  
23 *death resulting, or alleged to have resulted, from medical negligence. This*  
24 *subsection shall not be construed to preclude causes of action for personal*  
25 *injury or death resulting, or alleged to have resulted, from any intention-*  
26 *ally deceptive or unconscionable acts or practices prohibited by K.S.A.*  
27 *50-626 or 50-627, and amendments thereto, including, but not limited to,*  
28 *those related to or arising out of billing, collections, advertising or business*  
29 *services of the health care provider's practice.*

30 (c) A supplier alleged to have violated this act has the burden of  
31 showing the applicability of this section.

32 Sec. 2. K.S.A. 50-635 is hereby repealed.

33 Sec. 3. This act shall take effect and be in force from and after its  
34 publication in the Kansas register.