

HOUSE BILL No. 2523

By Committee on Health and Human Services

1-29

1 AN ACT providing that certain expressions of apology, sympathy or
2 compassion are not admissible as evidence of liability or as an
3 admission against interest in malpractice claims against health care
4 providers.
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6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. (a) No oral or written statements, affirmation, gestures,
8 conduct or benevolent acts, including waiver of charges for medical care
9 provided, expressing apology, fault, sympathy, commiseration, condolence
10 or compassion, which are made by a health care provider or an employee
11 or agent of a health care provider concerning the outcome of medical care
12 rendered by such health care provider, shall be admissible as evidence of
13 an admission of liability or as evidence of an admission against interest in
14 any claim arising from the rendering of or failure to render medical or
15 health care by such health care provider.

16 (b) As used in this section "health care provider" has the meaning
17 prescribed in K.S.A. 65-4915, and amendments thereto.

18 Sec. 2. This act shall take effect and be in force from and after its
19 publication in the statute book.