

2004 SESSION

SENATE SUBSTITUTE

044056788

SENATE BILL NO. 160

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Education and Health
on February 5, 2004)

(Patron Prior to Substitute—Senator Potts)

A *BILL* to amend the Code of Virginia by adding a section numbered 54.1-2962.2, relating to physician-patient relationships; effect of certain emergency room evaluations.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 54.1-2962.2 as follows:

§ 54.1-2962.2. *Physician-patient relationship; effect of certain emergency department treatment.*

A. Any physician-patient relationship that may be created by virtue of an on-call physician or his agent evaluating or treating a patient in the emergency department of a corporation, facility or institution licensed or owned or operated by the Commonwealth to provide health care shall be deemed terminated without further notice upon the discharge of the patient from the emergency department or if the patient is admitted to the corporation, facility or institution, his discharge there from, and after completion of follow-up as prescribed by the physician, unless the physician and the patient affirmatively elect to continue the physician-patient relationship.

B. Nothing in this section shall relieve a physician of his post-discharge duties required to satisfy the standard of care pursuant to § 8.01-581.20.

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