

## 2006 SESSION

INTRODUCED

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### SENATE BILL NO. 660

Offered January 18, 2006

A *BILL to amend and reenact § 8.01-581.18 of the Code of Virginia, relating to immunity for physicians.*

Patron—McDougle

Referred to Committee for Courts of Justice

**Be it enacted by the General Assembly of Virginia:**

**1. That § 8.01-581.18 of the Code of Virginia is amended and reenacted as follows:**

§ 8.01-581.18. Delivery of results of laboratory tests and other examinations not authorized by physician; immunity of physician.

A. Whenever a laboratory test or other examination of the physical or mental condition of any person is conducted by or under the supervision of a person other than a physician and not at the request or with the written authorization of a physician, any report of the results of such test or examination shall be provided by the person conducting such test or examination to the person who was the subject of such test or examination. Such report shall state in bold type that it is the responsibility of the recipient to arrange with his physician for consultation and interpretation of the results of such test or examination. The provisions of this subsection shall not apply to any test or examination conducted under the auspices of the State Department of Health.

B. Any physician *receiving an unsolicited report of a test or examination conducted in accordance with subsection A* shall be immune from civil liability for any failure to review, or to take any action in response to the receipt of, any report of the results of any laboratory test or other examination of the physical or mental condition of any person, which test or examination such physician neither requested nor authorized in writing, unless such report is provided ~~directly~~ to the physician ~~by the person so examined or tested~~ with a request for consultation ~~or by the State Department of Health~~ *as to the health or condition of the person so examined or tested.*

C. As used in this section, "physician" means a person licensed to practice medicine, chiropractic or osteopathy in this Commonwealth pursuant to Chapter 29 (§ 54.1-2900 et seq.) of Title 54.1.

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