

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 54.1-106 of the Code of Virginia, relating to health care; immunity for*  
3 *certain providers.*

4 [H 2464]

5 Approved

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

7 **1. That § 54.1-106 of the Code of Virginia is amended and reenacted as follows:**

8 § 54.1-106. Health care professionals rendering services to patients of certain clinics exempt from  
9 liability.

10 A. No person who is licensed or certified by the Boards of/for Audiology and Speech-Language  
11 Pathology, Dentistry, Medicine, Nursing, Optometry, Opticians, Pharmacy, Hearing Aid Specialists,  
12 Psychology, Social Work or Professional Counselors who renders at any site any health care services  
13 within the limits of his license or certification, voluntarily and without compensation, to any patient of  
14 any clinic which is organized in whole or in part for the delivery of health care services without charge,  
15 shall be liable for any civil damages for any act or omission resulting from the rendering of such  
16 services unless the act or omission was the result of his gross negligence or willful misconduct.

17 B. For the purposes of Article 5.1 (§ 2.1-526.1 et seq.) of Chapter 32 of Title 2.1, any person  
18 rendering such health care services who (i) is registered with the Division of Risk Management and (ii)  
19 has no legal or financial interest in the clinic from which the patient is referred shall be deemed an  
20 agent of the Commonwealth and to be acting in an authorized governmental capacity with respect to  
21 delivery of such health care services. The premium for coverage of such person under the Risk  
22 Management Plan shall be paid by the Department of Health.

23 C. For the purposes of this section and Article 5.1 (§ 2.1-526.1 et seq.) of Chapter 32 of Title 2.1,  
24 "delivery of health care services without charge" shall be deemed to include the delivery of dental  
25 services when a reasonable minimum fee is charged to cover administrative costs.

ENROLLED

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