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An Act To Establish Health Care Practitioner Immunity for Consulting Physicians in Critical Specialties or Subspecialties

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 24 MRSA §2904, sub-§4 is enacted to read:

4. Consulting specialty or subspecialty physicians. Notwithstanding any inconsistent provision of any public or private and special law, an individual is not liable for an injury or death arising from medical services provided as described in this subsection unless the injury or death was caused willfully, wantonly or recklessly or by gross negligence of the individual if that individual is a licensed physician with specialty or subspecialty training who voluntarily, without the expectation or receipt of monetary or other compensation either directly or indirectly and without establishing a physician-patient relationship, provides consultation services to a treating physician in the area of expertise of the specialty or subspecialty physician.

SUMMARY

This bill provides limited immunity protection to a specialty or subspecialty consulting physician who provides volunteer, unpaid consultation services to a treating physician in the physician's area of expertise.