

# State of South Dakota

EIGHTIETH SESSION  
LEGISLATIVE ASSEMBLY, 2005

643L0377

## HOUSE BILL NO. 1148

Introduced by: Representatives Van Etten, Brunner, Cutler, Frost, Hennies, Hunhoff, Jensen, Kraus, Krebs, Michels, Murschel, Peters, Rave, Roberts, Sebert, and Tornow and Senators Knudson, Abdallah, Bogue, Gray, Koetzle, Koskan, and Moore

1 FOR AN ACT ENTITLED, An Act to provide that certain statements and actions made by  
2 health care providers are not admissible to prove negligence or culpable conduct in medical  
3 malpractice actions.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. No statement made by a health care provider apologizing for an adverse outcome  
6 in medical treatment, no offer to undertake corrective or remedial treatment or action, and no  
7 gratuitous act to assist affected persons is admissible to prove negligence or culpable conduct  
8 by the health care provider in any action for damages for personal injury or death alleging  
9 malpractice against any health care provider.

